

10:00 o'clock a.m. on Monday, April 13, 1959, the motion prevailed by the following vote:

Yeas—17

Aikin	Kazen
Baker	Lane
Bradshaw	Martin
Crump	Moore
Dies	Parkhouse
Fly	Ratliff
Fuller	Reagan
Hardeman	Secrest
Hudson	

Nays—10

Colson	Phillips
Hazlewood	Roberts
Krueger	Rogers
Moffett	Smith
Owen	Willis

Absent

Gonzalez	Wood
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Absent—Excused

Herring	Weinert
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Accordingly the Senate at 3:03 o'clock p.m. adjourned until 10:00 o'clock a.m. on Monday, April 13, 1959.

FORTY-SEVENTH DAY
(Monday, April 13, 1959)

The Senate met at 10:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

At Ease

The President announced that the Senate would stand At Ease until 10:30 o'clock a.m. today.

In Legislative Session

The President called the Senate to order as in Legislative Session at 10:30 o'clock a.m. today.

The roll was called and the following Senators were present:

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Martin
Fly	Moffett
Fuller	Moore
Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Phillips

Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	Wood
Secrest	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Holy Father, before the toil and testing of this day crowd in upon us, we wait before Thy throne of grace for refreshing of our minds and renewing of our strength. Bestow upon us now gifts of understanding, kindness, courtesy, and self-control. For Christ's sake. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 9, 1959 was dispensed with and the Journal was approved.

Morning Call Dispensed With

On motion of Senator Martin and by unanimous consent the Morning Call for today was dispensed with in order to consider a Local and Uncontested Bills Calendar.

(Senator Hardeman in the Chair.)

Senate Resolution 333

Senator Colson offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Eighth Grade Class of the Navasota Elementary School of Navasota, Grimes County, Texas, accompanied by their principal, Mr. Charles Darby; their teachers and sponsors, Mrs. Nancy McMillan and Mr. Bobby Mooney; and Mrs. Mooney; and

Whereas, The presence of these young people is evidence of their interest in better citizenship and governmental affairs, and are seeking to broaden their knowledge and experience by a visit to the State Capitol and other places of interest in the Capital City; and

Whereas, We are delighted that these fine young American citizens are here to observe governmental processes in action; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed and bearing the official seal of the Senate, be mailed to them

in recognition and appreciation of their visit.

The resolution was read and was adopted.

Senator Colson by unanimous consent presented the students, teachers and sponsors to the Members of the Senate.

Senate Resolution 334

Senator Weinert offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, 24 pupils of the Junior Civics Class, Luling School, Luling, Caldwell County, Texas, accompanied by their teacher, Mr. G. L. Dunham; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Weinert by unanimous consent presented the students and Mr. Dunham to the Members of the Senate.

Senate Resolution 335

Senator Lane offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the members of the American History and Civics Class of the Beckville High School, Beckville, Texas, accompanied by their principal, Mr. Ben Wallace, their civics teacher, Mrs. Jane Metcalf, and their history teacher, Mr. J. W. Walters; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recog-

nize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Lane by unanimous consent presented the students and their teacher to the Members of the Senate.

Senate Resolution 336

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Civics Class of Divide High School, Nolan, Texas, accompanied by their teacher, Mr. John Clark, and their superintendent, Mr. F. B. Porter, and Mrs. Harry Rotan, Mrs. Curtis Lister, Mrs. Albert Shipp, and Mrs. Floyd Craig; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the students, teachers and sponsors to the Members of the Senate.

Senate Resolution 337

Senator Smith offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate former State Representative Alvin Allison and his lovely daughter, Sharon Allison, of Levelland, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and

that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Smith by unanimous consent presented the guests to the Members of the Senate.

Senate Resolution 339

Senator Gonzalez offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Bob Roth of San Antonio; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Gonzalez by unanimous consent presented Mr. Roth to the Members of the Senate.

Senate Resolution 341

Senator Roberts offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate: Messrs. Herman Robinson, Sherrell Hendricks, J. C. Loftice, Jr., R. W. Underwood, B. R. Martin, Roger Murray, all of Celina, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Roberts by unanimous consent presented the guests to the Members of the Senate.

Local and Uncontested Bills Session

The Presiding Officer (Senator Hardeman in the Chair) announced that the time had arrived for the consideration of the Local and Uncontested Bills Calendar in accordance with a motion previously adopted by the Senate.

Senate Bill 395 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 395, A bill to be entitled "An Act to amend Chapter 78, Acts of the Regular Session of the 53rd Legislature (Vernon's Article 8280-147), which created Northeast Texas Municipal Water District, conferring on the District certain additional powers; enacting other provisions related to the subject, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 395 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 395 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Gonzalez
Baker	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Crump	Hudson
Dies	Kazen
Fly	Krueger
Fuller	Lane

Martin	Roberts
Moffett	Rogers
Moore	Secrest
Owen	Smith
Parkhouse	Weinert
Phillips	Willis
Ratliff	Wood
Reagan	

Senate Bill 234 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 234, A bill to be entitled "An Act amending Chapter 75, Acts of the Regular Session of the 54th Legislature pertaining to Teacher Retirement System and Employees Retirement System, etc., and declaring an emergency."

The bill was read the second time.

Senator Aikin offered the following Committee Amendment to the bill:

Amend S. B. No. 234 by striking out Subsection 2.01 and inserting in lieu thereof the following: "Any person who accumulated creditable service between both the Teacher Retirement System and the Employees Retirement System of Texas may retire by making written application to the Board of Trustees of the Retirement System in which the member had last rendered creditable service provided that such last service was five (5) consecutive years, and in the event that such last service was less than five (5) consecutive years, then to the system in which most years of creditable service has been granted."

The Committee Amendment was adopted.

On motion of Senator Aikin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 234 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 234 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 408 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 408, A bill to be entitled "An Act authorizing the refund of any moneys received by the Board for Texas State Hospitals and Special Schools to which it was not legally entitled, or paid by mistake of fact, law, or under duress; authorizing the refund of unused portions of any payments for the care of patients or students in State hospitals and special schools; authorizing appropriations from which such refunds may be paid; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 408 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 408 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Committee Substitute
Senate Bill 376 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 376, A bill to be entitled "An Act amending Section 8 of Chapter 427, Acts of the 54th Leg-

islature, Regular Session, 1955, so as to fix the minimum and maximum salaries of certain officials in all counties of the State having a population of 800,000 or more inhabitants according to the last preceding Federal Census; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute
Senate Bill 376 on Third Reading

Senator Baker moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 376 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts

Rogers	Weinert
Secrest	Willis
Smith	Wood

Nays—1

Hardeman

Senate Bill 358 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 358, A bill to be entitled "An Act to create the Clear Creek Watershed Authority as a conservation and reclamation district in Montague, Wise, Cooke and Denton Counties under the provision of Article XVI, Section 59 of the Constitution of Texas; prescribing the duties, powers, functions, and procedures for the district and subordinate districts, including the right to participate in the organization of subordinate districts to carry out the functions of the master district under certain circumstances and conditions; providing for the incurring of obligations and the methods for the selection of manner for paying such obligations of the master and subordinate districts; providing for a governing body and prescribing their duties; adopting certain provisions of the general law; enacting other provisions required for the functioning of the master and subordinate districts; providing a severance clause; and declaring an emergency."

The bill was read second time.

Senator Bradshaw offered the following amendment to the bill:

Amend Senate Bill 358, page 1, line 49, Sec. 2, by striking out the last sentence of the Section, after the words "to-wit:" and substituting the following:

BEGINNING at a point in the Montague and Cooke County Line, in the Southwest line of the B.B.B. & C.R.R. Co. Survey No. 23, Abst. No. 89, said point being in the Northeast boundary line of Geo. A. Larue Survey Abst. No. 1167, being 1340 vrs. more or less, N. 55 W. from the South corner of said Bur. 23 B.B.B. & C.R.R. Co. Survey. Abst. No. 89, and 522 vrs. more or less, N. 55 W. from the East corner of said George A. Larue Survey Abst. No. 1167:

THENCE North 55 West along the Southwest line of B.B.B. & C.R.R. Co. Sur. No. 23, and the Northeast line of the Geo. A. Larue Sur., at 211 vrs., more or less, pass the North cor. or the Geo. A. Larue Sur., also being the most Northerly East Cor. of the H. D. Payne Sur. Abst. No. 1376, continuing same course, at 560 vrs. pass the West corner of B.B.B. & C.R.R. Co. Sur. No. 23, Abst. No. 89, also the South corner of Jasper Field Sur. Abst. No. 1083. Continuing North 55 West along the S.W.B.L. of said Jasper Field Sur. pass his West Corner, being the South corner of B.B.B. & C.R.R. Co. Sur. No. 25, Abst. No. 91, and continuing same course along the S.W.B.L. of said B.B.B. & C.R.R. Co. Sur. 25, Abst. No. 91, to its West Corner, being the South corner of Jasper Field Sur. Abst. 1084, being a point in the N.E.B.L. of the Elizabeth Rose Survey Abst. No. 1257, same being 4360 vrs., more or less in all from the point of beginning.

THENCE North 35 deg. East 950 vrs. along the N.W.B.L. of the B.B.B. & C.R.R. Co. Sur. 25, Abst 91, to a point for cor. being the North Cor. of the S.W. ½ of said B.B.B. & C.R.R. Co. Sur. No. 25, on the S.E.B.L. of the Jasper Field Sur. Abst. No. 1084;

THENCE North about 42 deg. West, crossing the entire Jasper Field Sur. Abst. 1084 to the South corner of the A. W. Howard Sur. Abst. No. 324.

THENCE North 37 deg. West 264 vrs. along the S.W.B.L. of the A. W. Howard Sur., being the most Westerly North corner of the Jasper Field Survey Abst. 1084, said point also being the East corner of the I. G. Sommers Sur. Abst. No. 694:

THENCE in a Northwesterly direction, crossing the I. G. Sommers Sur. Abst. 694, to its inner ell corner, also being the South Corner of the V. B. Mathews Sur. Ab. 557:

THENCE N. 37 deg. W. 580 vrs. along S.W.B.L. of said V. B. Matthews Survey to the most Northerly North corner of said I. G. Sommers sur. also being the most Southerly East corner of the Daniel Rasor Sur. Abst. No. 660:

THENCE S. 53 deg. W. 637 vrs. along S.E.B.L. of said Daniel Rasor Sur. Abst. 660, to his South corner, same being a point at an inner ell corner of the Cuadrilla Irrigation Co. Sur. Abst. 1145:

THENCE N. 37 deg. W. 1400 vrs.

corner, being the West corner of said Daniel Rasor Sur., said point also being in the S.E.B.L. of the Dye Mound and Saint Jo road;

THENCE N. 53 deg. E. 18.9 vrs. corner, being a point on the N.W.B.L. of Daniel Rasor Sur., also being the South corner of the A. Stewart Sur. Abst. No. 713;

THENCE N. 37 deg. W. at 828 vrs. pass the West corner of the A. Stewart Sur. Abst. 713, at 855 varas corner, the inner ell corner of the C. E. Holmes Sur. Ab. No. 1627 said point also being the most northerly corner of the Cuadrilla Irrigation Co. Sur. Abst. 1145;

THENCE S. 53 deg. West 86.5 vrs. corner, being the most Westerly South corner of said C. E. Holmes Sur., same being the East Corner of the John Burgess Sur. Abst. No. 29;

THENCE N. 37 deg. W. at 463 vrs. the West cor. of said C. E. Holmes Sur. same being the most Southerly South cor. of the M. B. Lewis Sur. Abst. No. 424 continuing same course 907 vrs. in all to an inner ell corner of the M. B. Lewis Sur. also being the most Easterly North cor. of the John Burgess Sur. Ab. No. 29;

THENCE S. 53 W. at 208 vrs. cross road, in all 402 vrs., to inner ell corner of the John Burgess Sur. Abst. No. 29;

THENCE N. 37 W. at 805 vrs. pass the North corner of the said John Burgess sur., also being the East cor. of the L. S. Farrar Sur. Abst. No. 282, continuing N. 37 deg. W. along the N.E.B.L. of said Farrar Sur. 1465 vrs. in all to point in South line of the Montague and Saint Jo Road, same being the West cor. of the C. D. Meador et al., 266.86 acre tract out of said M. B. Lewis Survey Abst. No. 424 also being the North cor. of Geo. E. and Roy R. Peery 145.75 acre tract out of said L. S. Farrar Sur. Abst. No. 282;

THENCE S. 89 W. along S. line of said road 520 vrs. to cor. in N.W.B.L. of said Farrar survey;

THENCE S. 53 deg. W. 70 vrs. more or less, cor. in South line of said road said point being the most Northerly E. Cor. of the William C. Masters Sur. Abst. No. 1244;

THENCE in a Westerly direction, to a cor. on the S.E.B.L. of the John A. Ivie Sur. Abst. No. 911, also on the N.W.B.L. of the said William C. Masters Sur. Said point being S. 53 deg. W. 184.20 vrs. from the East

Cor. of said John A. Ivie Sur. at the South cor. of the Walter Hoover's Northeast 30.09 acre tract out of said Ivie Sur. Also being the East Cor. of L. A. Husband 57.7 acre tract out of the said John A. Ivie Survey;

THENCE N. about 66 Deg. W. Crossing the S.W. portion of said L. A. Husband 57.7 acres out of the John A. Ivie Sur., 1080 vrs., more or less, to the S. Cor. of the said 57.7 acre tract, in the N.W.B.L. of the said Ivie Sur.;

THENCE N. 59½ Deg. W. 378 vrs. more or less, along the N.E. Line of road to cor. in road, also being a point in the S.W. Line of the L. A. Husband 83.1 acre tract out of the M. B. Lewis Sur. Abst. No. 424;

THENCE S. across Geo. E. and Roy R. Peery's 130.31 acre tract out of the M. B. Lewis Sur. Abst. No. 424, to a point on the N.E.B.L. of the John W. Kelley Sur. Abst. No. 408, said point being S. 43 Deg. E. from the North Cor. of the said John W. Kelley Sur.;

THENCE S. about 50 Deg. W. 520 vrs., more or less, to the East Cor. of the J. W. Cole 43.32 acre tract out of said John W. Kelley Sur. Abst. No. 408, also being 290 vrs. S. 46 Deg. W. and 671.3 vrs. S. 23¼ Deg. E. from the N. Cor. of the said Kelley Sur. an center of Montague & Saint Jo Road;

THENCE S. 67.75 W. with road 169½ vrs.;

THENCE S. 77.75 W. with road 232½ vrs.;

THENCE S. 78.75 W. with said road 164.20 vrs. to a point in said road on W. bank of a ravine near the W. end of a small bridge, being the S.W. Cor. of said J. W. Cole 43.32 acre tract in said Kelley Survey;

THENCE S. 58 Deg. W. 4314 vrs.;

THENCE S. 58 Deg. W. 433-4/5 vrs., more or less, along the S.E.B.L. of a certain 55.29 acre tract;

THENCE S. 30.75 Deg. W. 118 vrs.;

THENCE S. 61 W. 320 vrs. to Cor. on S.W.B.L. of said Kelley sur. being a point 193 vrs. S. 43 Deg. E. from W. Cor. of said Kelley sur. also being a point on the N.E.B.L. of the M. Hunt Sur. Abst. No. 349;

THENCE S. 47 Deg. W. 1344 vrs. cross the M. Hunt Sur. Abst. No. 349, to a point on the N.E.B.L. of the J. Collier Sur. Abst. 1212, said point being 528 vrs. S. 43 E. from the N. Cor. of the said J. Collier Sur. Abst. 1212;

THENCE IN A S.W. direction along the S.B.L. of a certain 10 acre tract, owned by the Estate of Lillie Reimers out of the N. Cor. of said J. Collier Sur., to a point of the N.E.B.L. of the M. Hunt Sur. Abst. No. 350; being 640 vrs., more or less, S. 25 E. from the N. Cor. of the M. Hunt Sur. Abst. No. 350;

THENCE S. 25 deg. E. about 72 vrs. to Cor. in N.E. line of said Hunt Sur. also being the North cor. of the E. 20 acres of the M. Hunt Sur. Abst. No. 350;

THENCE S. about 63 Deg. W. crossing the M. Hunt Sur. Abst. 350, 1345 vrs. more or less to the S.W.B.L. of same, also a point in N.E.B.L. of Blk. 18 of the upper League of Calhoun County School Land Sur. Abst. No. 122, being 600 vrs. S. 25 E. from the N. Cor. of said Blk. 18;

THENCE S. about 67 Deg. W. across said Blk. 18 of Calhoun County School Land Sur. Abst. No. 122, through that certain North W. 112 acre tract in said Blk. 18, owned or once owned by J. N. Collier, approximately 1190 vrs. to the N. Cor. of Blk. 19, and E. Cor. of Blk. 24 of said Calhoun County School Land Sur. Abst. 122;

THENCE W. about 430 vrs. to a point for corner, which is about 374 vrs. S. 47 W. and 415 vrs. N. 43 W. from the E. Cor. of Blk. 24 Calhoun County School Land Sur. Abst. 122;

THENCE S. 43 W. at 577 Vrs. across the S.W.B.L. of Blk. 24, and N.E.B.L. of Blk. 25 Calhoun County Sch. Ld. Sur. Abst. 122, continuing S. 43 Deg. W. along the S.E.B.L. of the J. M. Chambers County Sch. Ld. Sur. Abst. 122, continuing S. 43 Deg. W. along the S.E.B.L. of the J. M. Chambers 101 acres out of the N.W. Part of Blk. 25 Calhoun, in all 1525 vrs. to Cor. on S.W.B.L. of Blk. 25. Said point being the W. Cor. of C. McCall Est. S.E. 70 acre tract out of said Blk. 25 being a point in N.E.B.L. of Blk. 26, in said Calhoun County School Land Survey;

THENCE S. 47 E. at 415 vrs. Passing the East Cor. of Blk. 26, also the North Cor. of Blk. 21, the W. Cor. Blk. 20 and S. Cor. Blk. 25, continuing S. 47 E. along N.E.B.L. of Blk. 21 to its East Cor. in all 1365 vrs.;

THENCE S. 47 Deg. W. 600 Vrs. Cor. in N.W.B.L. of Blk. 17 Calhoun;

THENCE S. about 76 Deg. E. 1200 vrs. more or less, to the East Cor. of said Blk. 17, Calhoun Co. also being

in N. Cor. of Blk. 13, the W. Cor. Blk. 12 and the S. Cor. of Blk. 16, and Calhoun County School Land Sur. Abst. 122;

THENCE S. 47 Deg. E. Along N.E. B.L. of Blk. 13 at 950 vrs. pass its E. Cor. also the N. Cor. Blk. 9, Calhoun County School Land Sur. Continuing S. 47 E. in All 1896 vrs., more or less to the E. Cor. of Said Blk. 9, Calhoun County School Land Sur. said point also being the N. Cor. of Blk. 5, the S. Cor. Blk. 8 and the W. Cor. of Blk. 4.

THENCE S. 47 W. along N.W.B.L. Blk. 5, 727 vrs. to point in N.W.B.L. of said Blk. 5, also being the W. Cor. of S. T. Tompkins 122 acre tract in the N.E. Part of Blk. 5, Calhoun County Abst. 122;

THENCE S. 43 Deg. E. 950 vrs. to Cor. in S.E.B.L. of Blk. 5 Calhoun same being a point on N.W.B.L. of League 11 Calhoun County School Land Sur. Abst. No. 121;

THENCE S. 47 W. 387 Vrs. to a point for Cor. being the S. Cor. of Blk. 5, Calhoun County Sch. Ld. Sur. Abst. 122; and the West Cor. of Blk. 24 Calhoun County Sch. Land Sur. Abst. No. 121;

THENCE S. 43 E. pass the S. Cor. of Blk. 24, Calhoun County Sch. Ld. Sur. Abst. 121, which is also the W. Cor. of Blk. 25, of Calhoun County Sch. Ld. Sur. Abst. 121, continuing in all 1425 vrs., more or less, to the S. Cor. of Blk. 25, also the W. Cor. of Blk. 26, Calhoun County School Land Sur. Abst. No. 121;

THENCE S. about 47 W. 537.5 vrs. to point for Cor. being the N. Cor. of the Fred Love 220 acre tract out of Sec. 1, E.T.R.R. Co. Sur. Abst. 256;

THENCE S. 43 W. 1050 vrs., more or less along the N.E.L. of Said Love 220 acre tract to Cor. on N.W.B.L. of Elias Spray Sur. Ab. 672, said point also being 637.5 vrs. S. 47 W. from the N. Cor. of said Spray Survey;

THENCE S. 47 W. 213 vrs. along the N.W.B.L. of the Spray Sur. a Cor. same being the W. Cor. of the North 100 acres of the Elias Spray Sur. Abst. No. 672;

THENCE S. 43 E. 1900 Vrs. Cross the said Spray Sur. to Cor. in the S.E.B.L. also point in most Easterly N.W.B.L. of the Z. Westmoreland Sur. Abst. No. 859;

THENCE N. 47 E. 326 vrs. Cor. in the E.S. Line of the Spray Sur. also the most Easterly N. Cor. of the Z. Westmoreland Sur. Abst. 859, same

being the most Northerly W. Cor. or the J. H. Pond Sur. Abst. No. 1505;

Thence S. 45 E. 423 Vrs. the E. Cor. of Westmoreland Sur.;

THENCE S. 45 W. 150 Vrs. a Cor. being the N. Cor. of the L. L. Mobley Sur. Abst. 555;

THENCE S. 45 E. 950 vrs. to E. Cor. of said L. L. Mobley Sur. Also being in inner ell cor. of said J. H. Pound Survey;

THENCE S. 45 Deg. W. 475 vrs. Cor. in S.E.B.L. of the L. L. Mobley Sur. being the most Southerly W. Cor. of said J. H. Pound Sur., also the N. Cor. of the S. D. Hughes Sur. Abst. No. 1293;

THENCE S. 45 Deg. E. passing S. Cor. of J. H. Pound Sur. Abst. No. 1505, and W. Cor. of Levi Noblett Sur. Abst. No. 1115, in all 964 vrs. to point on the N.W.B.L. of George E. Bibens Sur. Abst. No. 310;

THENCE S. 30 Deg. W. 497 vrs. to the W. Cor. of the said George E. Givens Sur. also being an inner ell Cor. of the S. D. Hughes Sur. Abst. 1293;

THENCE S. 60 E. along S.W.B.L. of said Givens Sur. 180 vrs. more or less to Cor. in West Line of County Road;

THENCE S. about 26 E. along Line of said road crossing a portion of the S. D. Hughes Sur. Abst. No. 1293, 272 vrs. more or less, to a point in the N.W.B.L. of the J. W. Williams Sur. Abst. No. 1398;

THENCE S. 40 Deg. E. along said road 685 vrs. corner;

THENCE N. 72 E. along said road 55 vrs. a corner, being the most Easterly N. Cor. of a certain 23.4 acre tract in the S. Cor. of said J. W. Williams Sur. owned by Milton Littell.

THENCE S. 207 vrs. to the N.W. Cor. of the Nath McElroy Sur. Abst. No. 541;

THENCE E. along the N. Line of Said McElroy Sur. 950 vrs. to N.E. Cor. of said Sur.;

THENCE S. 950 vrs. to S.E. Cor. of said McElroy Sur., said point also being in the W.B.L. of the Seth Cary Sur. Abst. 1142;

THENCE S. about 60 E. 979 vrs. more or less, cross the Claude A. Willis 463.8 acre tract in said Seth Cary Sur., to the N.W. Line of the S. A. Lemons Sur. Abst. No. 1169, being a point 471 vrs. S. 45 W. from the N. Cor. of the said Lemons Sur.;

THENCE N. 45 E. 471 vrs. to the N. Cor. of the S. A. Lemons Sur. Abst. 1169;

THENCE S. 45 E. along N.E.B.L. of said Lemons Sur. 950 vrs. to its E. Cor.;

THENCE S. 45 W. 873 vrs. along said Lemons S.E.B.L. to its most Southerly S. Cor. also Cor. on the N.E.B.L. of the Dora Booher Sur. Abst. No. 102;

THENCE S. 45 E. 450 vrs. to the East Cor. of said Booher Sur. also on inner Cor. of the James Underhill Sur. Abst. No. 1007;

THENCE N. 107 vrs. the most Northerly N.W. Cor. of said James Underhill Sur.;

THENCE E. 447 vrs. to the N.E. Cor. of said Underhill Sur.;

THENCE S. 816 vrs. the most Southerly E. Cor. of the said Underhill Sur. also a point in N.W.L. of the Alex G. Perryman Sur. Abst. No. 597, also being the most Southerly Cor. of the Seth Cary Sur. Abst. No. 1142;

THENCE N. 45 E. about 430 vrs. more or less to the N. Cor. of Alex G. Perryman Sur. Abst. No. 597 also being the W. Cor. of the J. L. Luckenback Sur. Abst. No. 1408;

Thence S. 45 E. 751 vrs. along N.E.B.L. of said Perryman Sur. to its E. Cor.;

THENCE S. 45 W. 350 vrs. more or less, to a point in the S.E.B.L. of said Perryman Sur. also being the most Northerly N. Cor. of the E. Willis (alias Ward) Sur. Abst. No. 846;

THENCE S. 45 E. pass the S. Cor. of the Geo. W. Fanning Sur. Abst. No. 1027, at 752 vrs. pass most Northerly E. Cor. of said E. Willis (alias Ward) Sur. which is also the N. Cor. of the J. B. McClyman Sur. Abst. No. 494, continuing same course along N.E.B.L. of said McClyman Sur. and the S.W.B.L. of the J. F. Elmore Sur. Abstract No. 1532, to a point for Cor., being the South corner of the said Elmore Sur. and the E. Cor. of said McClyman Sur.;

THENCE S. 45 Deg. W. 1012 vrs. along S.E.B.L. of said McClyman Sur. to its S. Cor., said point being an inner ell Cor. of the L. N. Gambell Sur. Abst. No. 1029;

THENCE N. 45 Deg. W. 144 vrs. Cor. on S.W.L. of the McClyman Sur. also being the most Southerly E. Cor. of the E. Willis Sur. also being the most Southerly N. Cor. of said L. N. Gambell Sur.;

THENCE S. 45 Deg. W. 525 vrs. along the N.W.B.L. of the said Gambell Sur. to a point on N.E.B.L. of the J. W. Medley Sur. Abst. No. 918;

THENCE S. 45 Deg. E. 96 vrs.

to E. Cor. of the said J. W. Medley Sur.;

THENCE S. 45 Deg. W. at 38 vrs. more or less, pass the most Northerly N. Cor. of the J. G. Barnes Sur. Abst. No. 1134; at 138 vrs. more or less, the most Northerly W. Cor. of said J. G. Barnes Sur. also being the North Cor. of the Francis Seeds Sur. Abst. 1043;

THENCE S. 45 Deg. E. with N.E. B.L. of said Francis Seeds Sur., 324 vrs., more or less, to Cor. in W.B.L. of road;

THENCE S. about 65 Deg. E. crossing road 490 vrs. more or less, across to portion of a certain 5 acre tract once owned by Grace M. Wood out of said J. G. Barnes Sur. to an inner Cor. of the J. G. Barnes Sur. Abst. No. 1134;

THENCE S. 180 vrs. Cor. on N.E. B.L. of said Francis Seeds Sur. Abst. 1043;

THENCE S. 45 Deg. E. 70 vrs. more or less, to the E. Cor. of said Francis Seeds Sur.;

THENCE S. 45 Deg. W. 485 vrs. to a point on N.E.B.L. of the James Pettitt Sur. Abst. No. 928, said point being the most Northerly S. Cor. of said Seeds Sur.;

THENCE S. 45 Deg. E. 643 vrs. along the N.E.B.L. of said James Pettitt Sur. to its E. Cor.;

THENCE S. 45 Deg. W. 136 vrs. along S.E.B.L. of said Pettitt Sur. to the N. Cor. of the James Wichter Sur. Abst. No. 1270;

THENCE S. 433 vrs. Cor. being an inner corner of said Wichter Sur. and also the most Southerly S.W. Cor. of the J. G. Barnes Sur. Abst. No. 1134;

THENCE E. 125 vrs. along the S.B.L. of said Barnes Survey to Cor. being the N.W. Cor. of the W. Dalton Sur. Abst. No. 1403;

THENCE S. 24 Deg. E. 919 vrs. along S.W.B.L. of said Dalton Sur. and N.E. line of said Wichter Sur. to Corner, being the S.W. Cor. of the W. Dalton Sur. Abst. No. 1403;

THENCE S. 126 vrs. the N. Cor. of the K. Houghton Sur. Abst. No. 337;

THENCE S. 45 Deg. E. 950 vrs. along N.E.B.L. of said K. Haughton Sur. to a Cor. in the N.W.B.L. of the D. Busby Sur. Abst. No. 43, at a point 211 vrs. S. 45 W. from the North Cor. of said Busby Sur. said point also being the most Southerly S. Cor. of the H. T. Mann Sur. Abst. No. 1663 of 108½ acres;

THENCE S. 45 Deg. W. 739 vrs., more or less, along the N.W.L. of the D. Busby Sur. Abst. No. 43 to a Cor.,

being a point 950 vrs. S. 45 W. from the N. Cor. of said Busby Sur.;

THENCE S. 45 Deg. E. 960 vrs. to a point in the N.W.B.L. of a certain 79½ acre tract owned or once owned by Jane Arvil Ensey, said point being 950 vrs. S. 45 Deg. W. from the N. Cor. of said Busby Sur.;

THENCE N. 45 Deg. E. 475 vrs. Cor., being the N. Cor. of said 79½ acre Ensey tract out of said Busby Sur., said point also being 950 vrs. S. 45 Deg. E. and 475 vrs. S. 45 Deg. W. from the N. Cor. of the D. Busby Sur.;

THENCE S. 45 Deg. E. 950 vrs. Cor. in the Southeast Boundary Line of the D. Busby Sur. also the Northwest Boundary Line of the Manson Sheid Sur. Abst. No. 688;

THENCE N. 45 E. 475 Var. Cor. being the E. Cor. of the D. Busby Sur. Abst. No. 43, and the North Corner of the Manson Shied Survey Abst. No. 688; also being a point in the Southwest Boundary line of the G. W. Greg Sur. Abst. No. 902;

THENCE S. 45 Deg. E. 1425 vrs. to corner in the Northeast Boundary line of the said Sheid survey, being 475 vrs. N. 45 Deg. W. from its East Cor. said point also being the West Corner of the Mark Noble survey Abst. No. 568;

THENCE N. 45 Deg. E. along the Northwest Boundary line of said Mark Noble survey 1020½ vrs. corner in Northwest boundary line of said Noble survey, also in the Southeast boundary line of the J. A. Huskey Survey Abst., No. 965;

THENCE S. 45 Deg. E. 1934 vrs. more or less, crossing said Mark Noble Sur. to a point in the Southeast Boundary line of said Mark Noble survey, also a point on the N.W.B. line of the David Brederick Survey Abst. No. 78; said point being 904½ vrs. S. 45 Deg. W. from the East corner of the said Mark Noble Survey;

THENCE N. 45 Deg. E. 468.5 vrs., more or less, along the S.E.B. line of the Noble survey and the N.W.B. line of the David Brederick survey Abst. No. 78; being the most Northerly N.W. corner of the said Brederick Survey, also being the most Southerly West corner of the J. J. Boyd survey Abst. No. 1338;

THENCE East 375 vrs. more or less, corner in the N.B.L. of said Brederick survey; said point being 880 vrs. West of the N.E. corner of David Brederick survey;

THENCE South crossing the David

Brederick Survey Abst. No. 78, 1457 vrs., more or less, to a point in the most Southerly S.B. line of the Brederick survey, also the North line of the Robert F. Millard Survey Abst., No. 469, said point being 200 vrs. West of the N.E. corner of the Millard Survey;

THENCE East 200 vrs. to the N.E. corner of the Robert F. Millard Survey, also being the most Southerly S.E. corner of the Brederick survey, in the W.B. line of the Benjamine Heriage Survey Abst., No. 334 being a point 388 vrs. South of the N.W. corner of the said Benjamine Heriage Survey Abst. No. 334;

THENCE South along W.B. line of the Heriage Survey 977 vrs. corner being a point 1365 vrs. South of the N.W. corner of said Heriage survey, also being the S.E. corner of a 160 acre tract out of the Robert F. Millard Survey Abst. No. 469, owned or once owned by Mrs. Fannie M. Manrie et al.;

THENCE East 600 vrs., more or less, across said Benjamine Heriage Survey to the Montague and Cooke Line, being a point 1423 vrs. North and 600 vrs. East of the Southwest corner of the said Heriage Survey;

THENCE South with the Montague and Cooke County Line to the S.W. corner of Cooke County, Texas;

THENCE East along the South Boundary line of Cooke County, Texas, to a point, beginning at a point where the West boundary line of the John H. Splawn or Zola Munster 70 acre tract out of the James Bolin Survey Abstract No. 34, intersects with North Boundary line of Wise County, Texas

Same being about 8200 feet East from the Southwest corner of Cooke County, Texas

THENCE in Wise County, South along the West boundary line of said 70 acre tract to the Southwest corner of same; also being the NWC of a 60 acre tract in said survey owned or formerly owned by Splawn Muenster;

THENCE in a Southeasterly direction to the Southeast corner of said James Bolin survey, same being the Southeast corner of the Splawn Muenster's 60 acre tract above mentioned;

THENCE in an Easterly direction across the W. E. Best and Alma Brown tracts of land out of the Peter Maroney survey, Abst. No. 561 and J. B. Loyd survey, Abst. No. 331 to the North corner of the Hannible Bell sur-

vey, Abst. No. 47; same being the North corner of the John Newton Maxwell 85.45 acre tract in said Bell survey;

THENCE along the N.E. line of said Hannible Bell survey to the S.E. corner of said John Newton Maxwell 85.4 acre tract;

THENCE in a Southerly direction across the land of Alma Brown in said Hannible Bell survey to the N.W. line of the Berry Merchant survey, Abst. No. 588; said point being about 275 feet from the North corner of said Merchant survey, and in the North line of the Alma Brown tract of land;

THENCE in a Southerly direction across the lands of Alma Brown to a point which is about midway between the Northwest line and the Southeast lines of the said Berry Merchant survey, and about 1000 feet from Northeast line of the W. E. Fortenberry et al. 196.29 acre tract out of said Berry Merchant survey;

THENCE Southeasterly to the South boundary line of the W. E. Fortenberry et al. 196.29 acre tract being on the Southeast boundary line of said Berry Merchant survey, about 2000 feet from the SEC of said Berry Merchant survey;

THENCE in a Southeasterly direction across the W. E. Fortenberry 121.5 acre tract in the Benjamin McGaha survey, Abst. No. 544 to the NWC of the Guinn Fortenberry 107.5 acre tract out of said Benjamin McGaha survey;

THENCE following the West line of said Guin Fortenberry 107.5 acre tract to the Southwest corner of same in the North line of the R. Z. Dempsey 65 acre tract in said survey;

THENCE across the North portion of said R. Z. Dempsey 65 acre tract to a point in the N.E. line of said tract which is about 700 feet from the North corner of same; said point being in the West line of the S. B. Hayes 150 acre tract in said survey;

THENCE in a Southeasterly direction and easterly direction across the S. B. Hayes 150 acre tract in said survey to a point in the Southeast line of same;

THENCE Northeasterly along the Southeast line of said tract to the East or Southeast corner of same in the most easterly Northeast line of said Benjamin McGaha survey, same being the West corner of the Samuel Wood survey, Abst. No. 900;

THENCE in a Southeasterly direc-

tion along the Southwest line of the Samuel Wood Survey, Abst. No. 900, to the South corner of same; said corner being also the NWC of the Levin McHall survey, Abst. No. 549;

THENCE in a Southeasterly direction along the SW boundary line of said Levin McHall survey to the South or Southwest corner of the Mrs. Laura C. Holt 97.25 acre tract in said Levin McHall survey; said point also being the N.W. corner of the J. G. McCarroll 210 acre tract in said survey;

THENCE in a Northeasterly direction along the S.E. line of said Mrs. Laura C. Holt 97.25 acre tract to the East or Southeast corner of same near Wise-Denton County line;

THENCE in a Northeasterly direction about 200 feet across the land of Kathleen Brown Forman in the Wm. Sweeney survey, Abst. No. 750 to a point in the East boundary line of Wise County, Texas, and the West boundary line of Denton County, Texas;

THENCE North with the East boundary line of Wise County, and the West boundary line of Denton County, Texas to the Northeast corner of said Wise County, Texas;

THENCE West on the North line of Wise County, Texas, and the South line of Cooke County, Texas;

THENCE South with the West boundary line of Denton County, Texas to a point 2000 feet North of the S.W. corner of the J. Thomas survey, Abst. No. 1239, Denton County, Texas;

THENCE from the West boundary line of Denton County, S. 85 Deg. E. to a point in the East line of said Thomas Survey Abstract No. 1239 and the West line of the Domingo Diaz Survey, Abstract No. 376 that is 1000 feet North of the Common South corner of said Surveys;

THENCE S. 70 Deg. E. to a point in the South line of said Diaz Survey and the North line of the Samuel Turner Survey Abstract No. 1247, 600 feet West of their common East Corner;

THENCE S. 14 Deg. E. through said Turner Survey to an ell corner of said Turner Survey, same being the S.W. Cor. of the J. McBride Survey, Abstract No. 861;

THENCE S. 55 Deg. E. through said Turner Survey, crossing the East line of said Turner Survey and the West line of the J. J. Farnsworth Survey, Abstract No. 1615, at a point 750 feet North of their common South corner, and continuing said course through

said Farnsworth Survey to an inside ell corner of said Farnsworth Survey, same being an outside ell corner of the F. Y. Guthrie Survey, Abstract No. 442;

THENCE through said Guthrie Survey, S. 60 Deg. E. to a point in the East line of the C. F. Dickeson 317 acre tract and the West line of the C. C. Cunningham 200 acre tract in said Guthrie Survey that is 1645 feet North of the common South corner of said two tracts, same being a point midway in their common North and South property line;

THENCE South 35 Deg. E. through said Guthrie Survey to an inner ell corner of said Guthrie Survey, same being the S.W. Cor. of the A. H. Knox Survey, Abstract No. 1702;

THENCE continuing through said Guthrie Survey, S. 49 deg. E. to a point in its East line and the West line of the J. M. Ruiz Survey, that is 4528 feet North of the common South corner of said Guthrie and Ruiz Surveys;

THENCE S. 75 Deg. E. through said Ruiz Survey to a point in the East line of the E. M. Davidson 485.56 acre tract and the West line of the Mrs. N. E. Buckley 385.86 acre tract in said Ruiz Survey, that is 3500 feet North of their common South corner;

THENCE N. 55 Deg. E. through said Buckley tract to a point in its East line and the West line of the R. G. Cole tract in said Ruiz Survey that is 1200 feet South of the Common North corner of said Buckley and Cole tracts;

THENCE S. 63 deg. E. crossing the East line of said Ruiz Survey and the West line of the Thomas Polk Survey, Abstract No. 1000 at a point that is 1200 feet North of the S.W. Cor. of said Polk Survey, and continuing said course passing the East line of said Polk Survey and the West line of the John Ruddell Survey, Abstract No. 1061, at a point 700 feet North of their common South corner, and continuing said course to a point in the South line of said Ruddell Survey and the most Easterly North Line of said Ruiz Survey that is 1500 feet East of the S.W. Cor. of said Ruddell Survey;

THENCE S. 20 deg. E. through said Ruiz Survey, crossing the South line of said Ruiz Survey and the North line of the James C. Jack Survey, Abstract No. 659, at a point that is 300 feet West of the most Easterly S.E.

Cor. of the Ruiz Survey, same being a point that is 422 feet West of the N.E. Cor. of the C. M. Pickett 120 acre tract in said J. C. Jack Survey;

THENCE S. 20 Deg. E. to a point in the East line of said C. M. Pickett 120 acre tract and the West line of the R. M. Evers 266.5 acre tract that is 2500 feet North of their common South Corner;

THENCE 40 Deg. E. through said Jack Survey to a point in the East line of said Jack Survey and the West line of the J. C. P. Melton Survey, Abstract No. 802, that is 2700 feet North of the S.W. Corner of said Melton Survey;

THENCE S. 32 Deg. E. through said Melton Survey, to a point in the South line of said Melton Survey and the North line of the Thomas Polk Survey, Abstract No. 997, that is 1,650 feet East of the S.W. Cor. of said Melton Survey;

THENCE S. 50 Deg. E. to the S.E. Cor. of the W. E. Cox 151 acre tract, a point in the South line of said Polk Survey;

THENCE East along the South line of said Polk Survey to the East line of the G.C. & S.F.R.R. Co. right-of-way;

THENCE N. 47 Deg. E. along the East line of said right-of-way to a point in said Melton Survey that is 2500 feet West and 100 feet North of the S.E. Cor. of said Melton Survey;

THENCE S. 72 Deg. E. to the S.E. Cor. of said Melton Survey; same being an inner ell corner of the John Ayers Survey, Abstract No. 2, and being the N.E. Cor. of the H. C. Barthold 182.5 acre tract in said Ayers Survey;

THENCE South along the East line of said Barthold tract to its S.E. Cor. in the South line of said Ayers Survey and the North line of the John W. Gibbons Survey, Abstract No. 446, and continuing South 200 feet to the Northeasterly right of way line of the G.C. & S.F.R.R. Co in said Gibbons Survey;

THENCE along the N.E. right-of-way line of said railroad, S. 27 Deg. 37 min. E. to the East line of said Gibbons Survey, 3000.00 feet North of its S.E. Cor.;

THENCE South to the N.W. Cor. of the B.B.B. & C.R.R. Co., Survey Abst. No. 141;

THENCE S. 62 Deg. E. crossing the East line of said B.B.B. & C.R.R. Co., Survey and the West line of the

N. Wade Survey at a point that is 500 feet South of the N.W. Cor. of said Wade Survey; and continuing said course to a point in the East line of said Wade Survey, same being the N.W. Cor. of the N. H. Meisenheimer Survey Abst. No. 810;

THENCE S. 52 Deg. E. through said Meisenheimer Survey to the S.W. cor. of the F. N. Riney 94.5 acre tract in said Survey;

THENCE East through said Survey, crossing its East line and the West line of the Thomas Toby Survey, Abst. No. 1288, and crossing the East line of said Toby Survey and the West line of the B.B.B. & C.R.R. Co. Survey Abst. No. 186, to a point in the center of the old U. S. Highway No. 77;

THENCE S. 35 Deg. E. in the Center of said highway to a point in said B.B.B. & C.R.R. Co., survey in the North City Limits Boundary line of the City of Denton, Texas;

THENCE following and along said City Limits line, East to the West line of the Joseph Carter Survey, Abst. No. 268, South to the center of the West line of said Carter Survey; East to Stuart Lane, North crossing the North line of said Carter Survey to the N.W. Cor. of the John Carter Survey, Abst. No. 274, same being the N.W. Cor. of the Holiday Park Addition to the City of Denton; S. 85 Deg. E. along the North line of said Holiday Park and the North line of Norchester Additions to the N.E. Cor. of said Norchester Addition, a point in said Carter Survey; S. 2 Deg. 45 Min. W. 1351 feet to the South line of said John Carter Survey; west to the N. W. Corner of the Hardin Carter Survey, Abstract No. 281; South 660 feet to the North line of the R.E.A. power line 110 feet easement; S. 62 Deg. 48 min. E. along the North line of said Easement to the North line of the Windsor Park Addition in said H. Carter Survey; N. 62 Deg. E. along the North line of said Windsor Park to the West line of the Wesley Pogue Survey, Abst. No. 1012, a point 300 feet South of the N.W. Cor. of said Pogue Survey; N. 86 Deg. 38 Min. E. 439 feet to the N.E. Cor. of said Windsor Park Addition;

THENCE S. 1 deg. 07 Min. E. 2345.4 feet to the North line of Texas State Highway No. 24; Westerly along the North line of said Highway to the East line of the J. D. Lilly Survey, Abstract No. 762; South along

the East line of the J. D. Lilly Survey and the West line of the Wm. Lloyd Survey, Abstract No. 772 to a point midway in the common North and South line of said surveys;

THENCE departing from said City of Denton City Limits Boundary line on a course S. 50 Deg. E. through said Wm. Lloyd, M.E.P. & P. R.R. Co., Survey, Abst. No. 1473 and Abst. No. 927 to a point in the East line of said Abstract No. 927 and the West line of the Moreau Forrest Survey, Abstract No. 417, being the S.W. Cor. of Block "B" and the N.W. Cor. of Block "C" of said Forrest Survey according to the plat of the Subdivision of said Survey, of Record in Volume 50, page 236 of the Deed Records of Denton County, Texas;

THENCE East in the Center of a road between said Blocks B & C to the N.E. Cor. of Lot 4, Block B, of said Subdivision;

THENCE S. 60 Deg. E. through said Forrest Survey to a point in the South line of Lot 2, Block "F" of said Subdivision 430 varas East of the S.W. Cor. of said Lot 2, same being a point in the West property line of the U. S. A. Garza-Little Elm Reservoir, known as the 535 foot Elevation Contour line, as acquired originally by the City of Dallas, Texas, for the Lake Dallas Reservoir;

THENCE following and along said 535 foot contour line and the property line of said Reservoir as set out and described by field notes and maps of record in the Office of the County Clerk of Denton County, Texas, in metes and bounds, reference to which is hereby made, in a generally Northerly direction through the said Moreau Forrest Survey, the William Dabbs Survey, Abstract No. 328, the T. H. Living Survey, Abstract No. 729, the J. Douthitt Survey, Abstract No. 329, the J. West Survey, Abstract No. 1331 to a point in the South line of said West Survey that is 1,100 varas East of the S. W. Cor. of said West Survey, said point being the S.E. Corner of the G. W. Martin Estate 460 acre tract in said West Survey;

THENCE North 2,994 varas to the N.E. Cor. of said 460 acres in the North line of said West Survey and the South line of the J. A. Clayton Survey, Abstract No. 221;

THENCE West 1030.5 varas to the N.W. Cor. of said West Survey and the S.W. Cor. of said Clayton Survey,

same being the S.E. Cor. of the J. Petty Survey, Abstract No. 1027;

THENCE North along the East line of said Petty Survey 1,100 feet;

THENCE N. 70 Deg. W. to the S.W. Cor. of the P. O'Leary Survey; Abstract No. 977, same being the middle S.E. Cor. of the John Thomas Survey, Abstract No. 1240;

THENCE North 816 varas to the N.E. Cor. of the W. N. Masters Estate 173 acre tract in said Thomas Survey;

THENCE WEST 190 varas to the S.E. Cor. of the E. L. Lynch 100 acre tract in said Thomas Survey;

THENCE North 1000 feet; THENCE N. 60 deg. W. through said 100 acre tract to a point in its West line at the S.E. Cor. of the Kenneth Craver 27.50 acre tract in said Thomas Survey; THENCE N. 40 Deg. W. to the North line of said Thomas Survey and the South line of the W. A. Thompson Survey, Abstract No. 1238 that is 1,900 feet East of S.W. Cor. of said Thompson Survey;

THENCE North 2843 feet to a point in the North line of the Ellen Davis 318 acre tract in said Thompson Survey;

THENCE West 900 feet to the N.W. Cor. of said 318 acres in the West line of said Thompson Survey and the East line of the A. W. Patton Survey, Abstract No. 990;

THENCE North 1,060 feet to the N.E. Cor. of the Stormy Jackson 351.77 acre tract in said Patton Survey;

THENCE West 1320 feet to a point in the South line of the Kenneth Craver 222.84 acre tract in said Patton Survey;

THENCE North crossing the North line of said Patton Survey and the South line of the John Morton Survey, Abstract No. 792, continuing North to the North line of said Morton Survey and the South line of the Carmel Manchaca Survey, Abstract No. 790 at a point 1320 feet West of their common East Corner;

THENCE West 185 feet to the S.E. Corner of the Jessie Earl Seal 69 acre tract in said Manchaca Survey;

THENCE N. 30 deg. W. through said Manchaca Survey to the S. E. Cor. of the Mrs. Harriett McReynolds 209.5 acre tract in said Manchaca Survey;

THENCE North along the East line of said 209.5 acre tract 1800 feet;

THENCE West 3,009 feet to the

N.W. Cor. of said 209.5 acres in the West line of said Manchaca Survey;

THENCE NORTH ALONG THE West line of said Manchaca Survey and the East line of the John Morton Survey, Abstract No. 792 to a point in the East line of the H. S. Talley 122 acre tract that is 1,952 feet South of the N.E. Cor. of said 122 acres;

THENCE N. 35 deg. W. to a point in the North line of said 122 acres that is 1,500 feet West of its N.E. Cor.; THENCE North to the North line of the H. S. Talley 127.5 acre tract in said Morton Survey, a point 1,500 feet West of the N.E. Cor. of said 127.5 acres;

THENCE N. 50 deg. W. crossing the West line of said Morton Survey and the East line of the Reuben Bebee Survey and continuing said course through said Bebee Survey to the S.E. Cor. of the G. H. Davis 62.43 acre tract in said BeBee Survey; THENCE west 1,460 feet to the S.W. Cor. of said 62.43 acre tract;

THENCE S. 40 deg. W. to a point in the West line of the Bobby Joe Ready 69 acre tract and the East line of the B. B. Looper 80 acre tract in said Bebee Survey that is 1,000 feet North of the S.E. Cor. of said 80 acres and S.W. Cor. of said 69 acres;

THENCE N. 45 deg. W. through said Bebee Survey to the S.E. Cor. of the Legear and Cooper 184 acre tract in said Bebee Survey;

THENCE West 2,669 feet to the S.W. Cor. of said 184 acres;

THENCE North 4,732 feet to the N.W. Cor. of said 184 acres, a point in the North Line of said Bebee Survey and the South line of the B. F. Lynch Survey, Abstract No. 725; THENCE West 500 feet to the S.E. Cor. of the F. N. Michael 100 acre tract in said Lynch Survey;

THENCE N. 40 deg. W. through said Lynch Survey to its West line and the East line of the William Mason Survey, Abst. No. 801, a point 4500 feet North of the common South corner of said Mason & Lynch Surveys;

THENCE West through said Mason Survey 5,062 feet to a point in the East line of the Ruby Seal Dennis 160 acre tract out of said Mason Survey that is 1,200 feet North of its S.E. Cor.; Thence N. 25 deg. W. crossing the North line of said Mason Survey and the South line of the B.B.B. & C.R.R. Co., Survey, Abstract No. 199 at a point 2700 feet East of the

N.W. Cor. of said Mason Survey and continuing said course crossing the North line of said B.B.B. & C.R.R. Co. Survey at a point 4350 feet East of the S.W. Corner of the Edward Bradley Survey and continuing said course to a point in the North line of Denton County and the South line of Cooke County that is 4000 feet East of 670 feet North of the S.W. Cor. of said Bradley Survey.

THENCE North from the North Denton and the South Cooke County line to the N.W. corner of 90.7 acres out of the John Adda Survey Abst. No. 1177, owned by W. R. Chatfield;

THENCE W. 431 vrs. to S.W. Cor. of 91 acre tract owned by H. J. Hasenpflug;

THENCE N. 1117 vrs. to the N.E. Cor. of Willis Hester Survey No. 1200;

THENCE W. 1057 vrs. to S.W. Cor. of B.B.B.&C.R.R. Co. Sur. Abst. No. 1747;

THENCE N. with the road to the corner of road;

Thence W. 997½ vrs. to S.W. Cor. of 69.8 acres owned by Howard Springer formerly owned by Phillip Miller and the N.W. Cor. of 96½ acres owned by R. L. Masten;

THENCE North 1093 vrs., to N.E. Cor. of a 113.75 acres owned by T. J. Maston now owned by D. D. Roberson;

THENCE W. 627 vrs. to S.W. Cor. of 50 acre tract owned by T. S. Stephens on N. line of 113.75 acres T. J. Maston land;

THENCE North 1795 vrs. to N.E. Cor. of a 70 acres owned by W. S. Pace Estate and the N.W. Cor. of the 100 acres owned by Dan Flint;

THENCE West 190 vrs. to S.E. Cor. of 117 acres of Isa Hudspeth, on the North line of 70 acres owned by W. S. Pace Estate;

THENCE North 894½ vrs. to N.E. Cor. of Isa Hudspeth 117 acres;

THENCE West 134 vrs. to Cor. on N. line of 117 acres owned by Isa Hudspeth;

THENCE North 767½ vrs. to N.E. Cor. of 40 acre tract owned by Lucy Mae Nichols;

THENCE West 240 vrs. to S.E. Cor. of a 155½ acres on the S. line of the J. Dillingham Survey and the North Line of Bushnell Garner Survey;

THENCE North 937 vrs. to N.E. Cor. of 155½ acres in the Dillingham Survey Abstract No. 297 owned by R. E. Nichols Estate.

THENCE West 937 vrs. to N.W. Cor. of a 155½ acres owned by R. E. Nichols Estate;

THENCE North 144 vrs. to the N.E. Cor. of 395 acres on the E. Line of the C. O. D. Gillan Survey and the West Line of Dillingham Survey;

THENCE West 1032 vrs. to S.E. Cor. of W. G. Colwell 250 acres on North Line 395 acres formerly owned by J. B. Cunningham Estate and now owned by F. W. Fischer;

THENCE North 1362 vrs. to N. E. Cor. of said Colwell 250 acres;

THENCE West 1036 vrs. to N.W. Cor. of the W. G. Colwell Estate, out of the C. O. D. Gillan Survey, which is also the S.W. Cor. of Robt. A. Bentley 286.6 acres tract out of the N.W. Cor. of said C. O. D. Gillan Survey;

THENCE South 500 vrs. to S.E. Cor. of 346 acre formerly owned by G. D. Lewis Estate, now owned by Mrs. Francis Jones Yarbrough;

THENCE West 1252 vrs. to S.W. Cor. of the said 346 acre tract now owned by Francis Jones Yarbrough;

THENCE South 22 vrs. to the S.E. Cor. of 100.67 a tract formerly owned by Robert Baird et al., now owned by Mrs. Cora Staniforth;

THENCE South 234 vrs. to S.E. Cor. of 132.95 acres of J. A. Wylie, now owned by Hubert Felderhoff;

THENCE West 847 vrs. to S.W. Cor. of said 132.95 acres;

THENCE North 556 vrs. to S.E. Cor. of 50 acres of land out of the Thomas Cooke Survey, owned by the Estate of G. E. Bently, which is also the N.E. Cor. of 80 acre tract owned by said Bently Estate;

THENCE West 819 vrs. to S.W. Cor. of said 50 acres;

THENCE North 650 vrs. to S.E. Cor. of the Williams 1000 acre tract; on the E.B. line of the H. Nail Sur. Abst. No. 790, which is also the W. Line of the Thos. Cooke Survey;

THENCE West 2195 vrs. to S.W. Cor. of said Williams 1000 acres;

THENCE North 2388 vrs. to the N.W. Cor. of the B. M. Williams Estate 1000 acres out of the N.E. Cor. of the Nail Survey;

THENCE West 1090 vrs. to S.W. Cor. of P. G. Yarbrough Survey Abst. No. 1175;

THENCE N. 1900 vrs. to N.W. Cor. of said Yarbrough Survey;

THENCE E. 174 vrs. to S.W. Cor. of Melville Langham Survey Abst. No. 564;

THENCE North 1150 vrs. to N.E. Cor. of the Jones Land in the James

Lewis Survey Abst. No. 567; on the West Line of the Melville Langham Sur.;

THENCE West 1506 vrs. a corner;

THENCE South 356 vrs. a corner;

THENCE West 601½ vrs. a corner;

THENCE South 902½ vrs. to South line of Lewis Survey, Abst. No. 567;

THENCE West 601 vrs. to S.W. Cor. of said James Lewis Sur.;

THENCE North 800 vrs. on the W.B. Line of James Lewis Sur. to S.E. Cor. Joseph Gregory 100 acre tract;

THENCE West 1013 vrs. to S.W. corner of Joseph Gregory 100 acres now owned by Earl Bentley;

THENCE North 553 vrs. to N.W. Cor. of said 100 acres;

THENCE West 522 vrs. to the S.E. Cor. of 100 acre tract formerly owned by R. L. Hickcox;

THENCE North 650 vrs. to the Gainesville and Forestburg Road, being the S. line of the BBB & CRR Co. Survey Abst. No. 146; also N. line of Thos. Toby Surveys Abst. No. 1060 and No. 1062;

THENCE West 2605 vrs. along the Gainesville and Forestburg Road to the Muenster and Linn Schoolhouse road and the E. line of the E. Langford Survey, Abst. No. 566;

THENCE North 950 vrs. along the E. Line of the said E. Langford Sur.;

THENCE West 4650 vrs. parallel with N. Line of said Langford Sur. to the West line of said Langford Survey;

THENCE North 550 vrs. with the W. Line of said Langford Survey to its North West corner;

THENCE West 878 vrs. to the E. Line of the W. W. Hobson Survey, Abst. No. 481;

THENCE North 45 Deg. West 900 vrs. to the North line of the W. W. Hobson Survey Abst. No. 481;

THENCE North 900 vrs. to the S. Cor. of the BBB & CRR Co. Survey Abst. No. 145;

THENCE North 55 Deg. West, 1900 vrs. to West Cor. of said BBB & CRR Co. Survey;

THENCE South 35 Deg. West 180 vrs. to the S. Corner of the W. T. & S. T. Perry Survey Abst. No. 1424;

THENCE North 55 Deg. West 1900 vrs. to the North Cor. of the SPRR Co. Survey Abst. No. 985;

THENCE North 35 Deg. E. 181 vrs. to the South Cor. of the BBB & CRR Co. Survey, Abst. No. 136;

THENCE North 55 Deg. West with the South boundary line of said BBB & CRR Co. Survey, Abst 136, at

its intersection of the Cooke and Montague County Lines, to the place of beginning.

The amendment was adopted.

On motion of Senator Bradshaw and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 358 on Third Reading

Senator Bradshaw moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 358 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers

Secrest
Smith
Weinert

Willis
Wood

Senate Bill 379 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 379, A bill to be entitled "An Act to amend Article 21.26, Chapter 21, of the Insurance Code (Acts of 1951, 52nd Legislature, Chapter 491) providing for consolidation of any two or more insurance companies; by adding to said article a new section to be designated Sec. 6, providing that valid investments made by the absorbed corporations, consolidated or merged under the provisions of Article 21.26 of the Insurance Code shall be valid investments of the new or reorganized corporation; repealing all conflicting laws or parts of laws to the extent of such conflict; and declaring an emergency."

The bill was read the second time.

Senator Bradshaw offered the following Committee Amendment to the bill:

Amend Section 1 of S. B. 379 by adding a new section thereto to be known as "Section 7," which will read and provide as follows:

"Section 7. Any insurance company organized and operating under the laws of this state may merge or consolidate with an insurance company organized under the laws of another state and authorized to do an insurance business in this state, provided the two companies are doing similar lines of insurance business, by meeting the requirements of this Article. The merger or consolidation shall not become effective until (1) the Commissioner of Insurance has found that the proposed merger or consolidation is for the best interest of the policyholders and the stockholders of the respective companies, and has approved the merger or consolidation as being in accordance with the laws of this state, and (2) the merger or consolidation has been approved by the proper official of the domiciliary state of the out of state corporation."

The Committee Amendment was adopted.

Senator Bradshaw offered the following Committee Amendment to the bill:

Amend Section 6 of Section 1 of S. B. 379 by inserting the following wording in line 18 after the word "corporation":

"Which is subject to the provisions of Article 3.40 of this code, acquires"

The Committee Amendment was adopted.

On motion of Senator Bradshaw and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 379 on Third Reading

Senator Bradshaw moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 379 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Hardeman
Baker	Hazlewood
Bradshaw	Herring
Colson	Hudson
Crump	Kazen
Dies	Krueger
Fly	Lane
Fuller	Martin
Gonzalez	Moffett

Moore	Rogers
Owen	Secrest
Parkhouse	Smith
Phillips	Weinert
Ratliff	Willis
Reagan	Wood
Roberts	

Senate Bill 424 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 424, A bill to be entitled "An Act to amend Subsection 2 of Section 1, Chapter 451, Acts of the Regular Session, 51st Legislature of Texas, 1949, as amended by Chapter 206 of the Acts of the Regular Session of the Fifty-second Legislature of Texas, 1951, so as to include the President of Texas Woman's University as a member of the Cotton Research Committee; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 424 on Third Reading

Senator Bradshaw moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 424 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 259 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 259, A bill to be entitled "An Act relating to the stopping, standing or parking of vehicles upon the paved or main-traveled part of highways outside of a business or residential district; amending paragraph (a), Section 93 of the Uniform Act Regulating Traffic on Highways compiled as Article 6701d, Vernon's Texas Civil Statutes; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 259 on Third Reading

Senator Crump moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 259 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers

Secrest
Smith
Weinert

Willis
Wood

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 140 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 140, A bill to be entitled "An Act relating to the permissible terms of sale of real estate under proceedings during administration and guardianship as provided for in the Probate Code; amending Subsection (a) of Section 348 of the Texas Probate Code; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 140 on Third Reading

Senator Crump moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 140 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Dies
Baker	Fly
Bradshaw	Fuller
Colson	Gonzalez
Crump	Hardeman

Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Martin	Smith
Moffett	Weinert
Moore	Willis
Owen	Wood
Parkhouse	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 115 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 115, A bill to be entitled "An Act relating to lump-sum settlement and payment of workmen's compensation claims; amending Section 15 of Article 8306, Revised Civil Statutes of Texas, 1925; providing a saving clause; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 115 on third Reading

Senator Dies moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 115 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 433 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 433, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in San Augustine County; authorizing the County to issue certificates of indebtedness for the purpose of constructing improvements to the public roads within said County; providing terms, conditions, and provisions relating to said certificates of indebtedness and to their issuance; requiring the levy of a tax to pay such certificates and the interest thereon; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 433 on Third Reading

Senator Dies moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 433 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 189 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 189, A bill to be entitled "An Act to amend Section 390 of the

Texas Probate Code (Acts 1955, 54th Legislature, Chapter 55) relating to investments by guardians in insurance and annuity contracts, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 189 on Third Reading

Senator Fly moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 189 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 286 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 286, A bill to be entitled "An Act relating to the unlawful use of certain nets and other devices for catching fish and shrimp in certain defined waters of Matagorda Bay and the Gulf of Mexico; providing penalties for violations; providing that the Act shall be cumulative; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 286 on Third Reading

Senator Fly moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 286 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Gonzalez
Baker	Hardeman
Bradshaw	Hazlewood
Colson	Herring
Crump	Hudson
Dies	Kazen
Fly	Krueger
Fuller	Lane

Martin	Roberts
Moffett	Rogers
Moore	Secrest
Owen	Smith
Parkhouse	Weinert
Phillips	Willis
Ratliff	Wood
Reagan	

Senate Bill 400 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 400, A bill to be entitled "An Act amending Chapter 276, Acts of the 45th Legislature, 1937, as subsequently amended (Codified under Article 8280-119, Vernon's Annotated Civil Statutes of the State of Texas by adding a new section providing for an auditor's report; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 400 on Third Reading

Senator Gonzalez moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 400 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Baker
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Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

Senate Bill 437 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 437, A bill to be entitled "An Act amending Sections 6 and 17 of Chapter 152, Acts of the 55th Legislature, Regular Session, 1957, as amended, conferring upon the Game and Fish Commission the Authority to regulate the wildlife resources of Bexar County; providing for the killing and taking of antlerless deer; providing an effective date; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 437 to engrossment.

Senate Bill 437 on Third Reading

Senator Gonzalez moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 437 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hazlewood	Phillips

Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	Wood
Secrest	

Nays—2

Hardeman	Martin
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Hardeman	Martin
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Senate Bill 199 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 199, A bill to be entitled "An Act to amend Articles 501, 502, 505, 517, 518, and 519 of the Code of Criminal Procedure of Texas of 1925 so as to provide for a plea of nolo contendere in all cases in which a plea of guilty might be entered; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 199 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 199 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 201 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 201, A bill to be entitled "An Act to amend the Act of 1951 by the 52nd Leg., p. 817, Ch. 463, being S. B. 165 and Art. 760d of Vernon's Code of Crim. Proc., by providing that bills of exception shall be delivered to the trial judge within eighty (80) days after giving notice of appeal and that such judge shall thereafter have until 90 days have elapsed after notice of appeal was given within which to consider and act on the same, and declaring an emergency."

The bill was read the second time.

Senator Lane offered the following Committee Amendment to the bill:

Amend Senate Bill 201, Section 1, by adding at the end thereof the following:

"A filing by the defendant of his bills of exception with the clerk of the court shall constitute a filing of the bills with the trial court, within the meaning of that term as here used. The clerk of the court will immediately call the trial judge's attention to the filing of the bills of exception.

Unless the trial court refuses to approve the bills of exception within the time above specified, the bills of exception shall be considered as approved by the trial court and no other approval thereof is necessary.

If the trial judge refuses to approve the bills of exception, he shall so note, and state thereon his reason or reasons for refusal, and return the bills to the clerk of the court, who shall note on the bills of exception the date and time the bills were returned to him by the trial judge.

The clerk of the court shall immediately notify the defendant or his counsel that the trial judge has refused the bills of exception.

If the defendant agrees to the reasons assigned by the trial judge for refusing to approve the bills of exception, he may note such fact on the bills of exception, in which event the bills of exception will stand approved with the reasons of the trial judge as a part of and qualification to the bills of exception.

In the event the defendant does not accept the trial court's reasons for refusing to approve the bills of exception, then the defendant or the trial judge shall have fifteen days' time from and after the date the trial court returned the refused bills of exception to the clerk of the court within which to prepare and file bystanders' bills of exception.

Nothing in this act shall prevent the defendant and the trial judge from agreeing upon or to the correctness of the bills of exception and the filing thereof in the trial court within ninety days from the date notice of appeal was given. Such a bill of exception shall be considered as approved by the trial judge."

The Committee Amendment was adopted.

On motion of Senator Lane and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 201 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 201 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 371 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to engrossment:

S. B. No. 371, A bill to be entitled "An Act providing for the appointment of the personnel to serve as Texas State Property Guards by the State Board of Control; providing for the duties and powers of the Texas State Property Guards; providing for the issuance of commissions as law enforcement officers to personnel designated as Texas State Property Guards; defining their powers; providing that monies appropriated to the State Board of Control by the provisions of House Bill 133, Acts 55th Legislature, Regular Session, 1957, Chapter 385, may be expended for the purpose of paying salaries, payment of bond premiums and other expenses necessary to carry out the provisions of this Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 371 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 371 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Baker
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Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

Senate Bill 373 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 373, A bill to be entitled "An Act amending Article 36, of Vernon's Code of Criminal Procedure to include in the category of peace officers Texas State Property Guards; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 373 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 373 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 439 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 439, A bill to be entitled "An Act creating a Juvenile Board for Gray County and designating the Chairman thereof; providing additional compensation for county and district judges serving thereon; stating the effect of this Act on existing laws; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 439.

Senate Bill 439 on Third Reading

Senator Hazlewood moved that Senate Bill 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 439 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Gonzalez
Baker	Hazlewood
Bradshaw	Herring
Colson	Hudson
Crump	Kazen
Dies	Krueger
Fly	Lane
Fuller	Moffett

Moore	Rogers
Owen	Secrest
Parkhouse	Smith
Phillips	Weinert
Ratliff	Willis
Reagan	Wood
Roberts	

Nays—2

Hardeman Martin

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—29

Aikin	Moffett
Baker	Moore
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Dies	Ratliff
Fly	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—2

Hardeman Martin

Committee Substitute Senate Bill 175 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 175, A bill to be entitled "An Act to amend Acts, 1931, Forty-second Legislature, Chapter 165, as amended, Acts 1937, Forty-fifth Legislature, Chapter 204, as amended, Acts 1943, Forty-eighth Legislature, Chapter 96, as amended, Acts 1951, Fifty-second Legislature, Page 406, Chapter 256, (also known as Article 1524a, Revised Statutes of Texas) by adding thereto a new section to be numbered 14; such new section to provide an exemption from Section 7 of Article 1524a, if the Securities Commissioner shall have granted a permit for the sale of capital obligations having a term of five years or more or a registration statement for the sale thereof shall have been effected pursuant to Section 7 of the Texas Securities Act; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute Senate Bill 175 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 175 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Committee Substitute Senate Bill 237 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 237, A bill to be

entitled "An Act relating to Trust Receipts and Trust Receipt Transactions and to make uniform the law with reference thereto; citing the Act as the 'Texas Uniform Trust Receipts Act'; providing a saving clause; and declaring an emergency."

The bill was read second time.

Senator Hazlewood offered the following amendment to the bill:

Amend Section 13, Subsection 4, by striking all of said Subsection 4 and substituting in lieu therefor the following:

4. Presentation for filing of the statement described in Subsection 1, and payment of the filing fee, shall constitute filing under this Act, in favor of the entruster, as to any documents or goods falling within the description in the statement which are within one year from the date of such filing, or have been within thirty days previous to such filing, the subject matter of a trust receipt transaction between the entruster and the trustee. In the event for any reason the entruster should release such filing before its expiration and such release shall be presented to the Secretary of State either by the trustee or entruster or otherwise, the fee for filing such release shall be \$1.00.

The amendment was adopted.

On motion of Senator Hazlewood and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Committee Substitute Senate Bill 237 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 237 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Fuller
Baker	Gonzalez
Bradshaw	Hardeman
Colson	Hazlewood
Crump	Herring
Dies	Hudson
Fly	Kazen

Krueger	Reagan
Lane	Roberts
Martin	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood
Ratliff	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

At Ease

The Presiding Officer announced at 11:15 o'clock a.m. that the Senate would stand At Ease for ten minutes.

In Legislative Session

The Presiding Officer (Senator Hardeman in the Chair) called the Senate to order at 11:25 o'clock a.m.

Reports of Standing Committees

Senator Moffett submitted the following report:

Austin, Texas,
April 13, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Agriculture and Livestock, to whom was referred H. C. R. No. 48, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

Senator Owen submitted the following report:

Austin, Texas,
April 9, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Oil and Gas, to whom was referred S. B. No. 216, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that Committee Substitute do pass in lieu thereof and be printed.

OWEN, Chairman.

C. S. S. B. No. 216 was read the first time.

Senator Krueger submitted the following report:

Austin, Texas,
April 13, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 522, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

KRUEGER, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
April 13, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 342, A bill to be entitled "An Act to amend Acts of the 40th Legislature, 1927, Chapter 283, Section 1 (Compiled as Article 1011a V. A. C. S.), to authorize regulation of buildings and other structures for the purpose of preserving and protecting places and area of historical and cultural importance; and declaring an emergency."

H. B. No. 376, A bill to be entitled "An Act relating to peddling of printed matter by deaf persons; repealing Chapter 442, Acts of 54th Legislature, 1955; and declaring an emergency."

H. B. No. 343, A bill to be entitled "An Act amending the Election Code of the State of Texas to provide an

additional procedure for obtaining a recount of votes cast by paper ballots for nomination or election to a public office; providing for the filing of an application for a recount in the district court and for the ordering of a recount by the court; providing procedures for the conduct and effectuation of the recount; making provisions for payment of the cost of the recount by the authority charged with the duty of paying the expenses of the election in certain instances and by the candidate applying for the recount in all other instances; and declaring an emergency."

H. B. No. 438, A bill to be entitled "An Act amending House Bill No. 803, Chapter 478, Acts of the 55th Legislature, Regular Session, 1957, authorizing the Board for Texas State Hospitals and Special Schools to convey certain land in Cherokee County, Texas; describing the manner of sale and disposition of proceeds; and declaring an emergency."

H. B. No. 448, A bill to be entitled "An Act amending Article 2333 of the Revised Civil Statutes of 1925 by providing that it shall be within the discretion of the court whether or not the child shall be brought before said court in hearings on Dependent and Neglected Children; providing for severability clause; and declaring an emergency."

H. B. No. 453, A bill to be entitled "An Act validating donations of unimproved land by Home Rule cities by grant or lease to counties wherein they are located for use by Juvenile Board of such counties, and authorizing such donations; and declaring an emergency."

H. B. No. 351, A bill to be entitled "An Act authorizing the Board for Texas State Hospitals and Special Schools to determine the amount of land excess to the needs of the operation of the San Antonio State Hospital; to sell and convey same; and declaring an emergency."

H. B. No. 420, A bill to be entitled "An Act to amend Section 1 of Chapter 156, Acts of the Fortieth Legislature, Regular Session, 1927, as amended, (Article 200a, Vernon's Texas Civil Statutes), relating to Administrative Judicial Districts, by amending Section 1 thereof by removing Gillespie and Kimble Counties from the

Third Administrative Judicial Districts to the Sixth Administrative Judicial District; and declaring an emergency."

H. B. No. 440, A bill to be entitled "An Act defining the term "trial de novo," as that term is used in the Civil and Criminal Statutes of Texas; providing for the applicability thereof to all appeals from actions, rulings, decisions or orders of all State Departments, bureaus and agencies where the statute governing such appeals provides for a trial de novo; prohibiting the use of the substantial evidence rule in such appeals and determining the burden of proof in all such proceedings; providing certain exceptions from the provisions of this Act; containing a severability clause; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 509, A bill to be entitled "An Act amending Subsection (a) of Section 1 of Chapter 9, Acts of the 43rd Legislature, 1933, as amended, relating to agents to contract for county; and declaring an emergency."

H. B. No. 519, A bill to be entitled "An Act authorizing the Board of Regents of Lamar State College of Technology to sell certain college lands; authorizing the Chairman of the Board of Regents to execute and deliver the necessary conveyance to be approved by the Attorney General; providing for the disposition of the proceeds of the sale; and declaring an emergency."

H. B. No. 555, A bill to be entitled "An Act validating Hall and Donley Counties Water Control and Improvement District Number One; validating the boundaries of said District; validating all actions, orders, or other proceedings in connection with its creation, organization and operation; validating all actions, orders or other proceedings relating to the calling, conducting and declaring the results of any confirmation election; validating all actions in authorizing the levy, assessment and collection of taxes and in adopting tax rolls; validating the appointment or elections of directors and prescribing their terms; providing that bonds of the District shall be authorized investments and eligible to secure deposits of public funds in certain instances; providing for the ad valorem plan of taxation and that no

hearing on exclusions shall be necessary; declaring all included land and property shall be benefited; declaring the district essential; enacting provisions incident and related to the subject; and declaring an emergency."

H. B. No. 641, A bill to be entitled "An Act regulating the sale of shellfish, authorizing the State Commissioner of Health to declare polluted areas from which shellfish may not be taken for the purpose of sale and to establish rules and regulations fixing standards of sanitation in the handling of shellfish; defining 'shellfish,' 'polluted area,' 'Commissioner'; providing for the issuance of certificates of compliance to operators of shellfish shucking and packing plants; making certain acts unlawful and fixing penalties for violation; providing a severability clause and declaring an emergency."

H. B. No. 553, A bill to be entitled "An Act establishing a Juvenile Board in Crane County; prescribing the membership and powers of the board and providing for compensation of its members; authorizing the board to appoint a juvenile officer; prescribing the powers and duties of the juvenile officer and providing for his compensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

H. B. No. 698, A bill to be entitled "An Act amending Article 6954 of the Revised Civil Statutes of Texas, 1925, as amended, so as to make its provisions applicable to Willacy County; and declaring an emergency."

H. B. No. 703 A bill to be entitled "An Act to amend Title 128, Revised Civil Statutes of Texas, 1925, by the addition thereto of a new Article 7987-1 to provide an alternative method of naming supervisors in certain levee improvements districts by election; providing procedure for their election; prescribing their qualifications, terms of office, and compensation; providing for filling vacancies in their offices; retaining all laws affecting levee improvement districts not in conflict herewith in full force; providing a severability clause; and declaring an emergency."

H. B. No. 859, A bill to be entitled "An Act authorizing the Commissioners Court of each county, acting by and through the County Auditor of

such county, to place on time deposit with the depository bank for Trust Funds in the possession of County and District Clerks of such county that portion of the Trust Funds account estimated by the County Auditor as not required immediately to pay out all amounts in accordance with court orders; providing that if at any time the funds so placed on time deposit are required to be withdrawn before maturity, they may be withdrawn, in which event the depository bank shall not be liable for interest thereon; providing that the county commissioners' court shall be authorized to place interest earned on time deposit consisting of composite groups of trust funds into the General Fund of the County as an offset to the expenses of handling the trust funds for the benefit of litigants; providing for the repeal of all laws in conflict herewith, and declaring an emergency."

H. B. No. 737, A bill to be entitled "An Act amending Section 7, of Chapter 59, Acts of the 40th Legislature, 1927, as amended, relating to the County Court at Law of Cameron County and declaring an emergency."

H. B. No. 791, A bill to be entitled "An Act to amend Articles 2338-9 Revised Civil Statutes creating a Juvenile Court and a Court of Domestic Relations so as to authorize Judges of all District Courts to sit for, hear and decide cases pending in the Juvenile Court and Domestic Relations Court of Dallas County, authorizing District Judges of Dallas County to provide for the filing of any case within the jurisdiction of the Juvenile Court and the Domestic Relations Court in either the Juvenile Court or the Domestic Relations Court or in any one or more of the district Courts of Dallas County; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 242 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 242, A bill to be entitled "An Act repealing Section 3A, Chapter 44, Page 64, Acts 49th Legislature, Regular Session, 1945, concerning sale of sand and gravel by the

City of Austin; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 242 to engrossment.

Senate Bill 242 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 242 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Krueger
Baker	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest

Smith
Weinert

Willis
Wood

Nays—1

Hardeman

Senate Bill 415 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 415, A bill to be entitled "An Act amending Section 10 of the 'Lower Colorado River Authority Act,' Chapter 7, Acts of the Fourth Called Session of the Forty-third Legislature (1934), page 19, as amended by Chapter 2, Special Laws of the Regular Session of the Forty-sixth Legislature (1939), page 1048, by Chapter 61, Acts of the Regular Session of the Fifty-first Legislature (1949), page 101, and by Chapter 165, Acts of the Regular Session of the Fifty-fourth Legislature (1955), page 532, so as to authorize the Lower Colorado River Authority to issue bonds in the total amount of One Hundred Twenty Million Dollars (\$120,000,000); re-enacting the remainder of said Section 10 without change; containing a severability clause; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following amendment to the bill:

Amend Senate Bill 415 by adding another section thereto, to be known as Section 3, as follows:

"Section 3. The fact that the Lower Colorado River Authority is now operating dams on the Colorado River for flood control, water conservation, and generation of hydro-electric power, as well as other facilities, and in the efficient operation of such project additional dams shall be constructed, and the fact that due to increased demand existing facilities of said Authority need to be enlarged and new and additional facilities constructed so that said Authority can continue to render the public service it has been rendering, and the fact that materials and equipment must be ordered and construction work started as soon as possible so that such continued efficient public service may be assured, and the fact that immediate action is essential to the proper operation of said Authority

and the welfare of the State, create an emergency and an imperative public necessity requiring that the Constitutional Rule that bills be read in each House on three several days be, and the same is hereby suspended, and that this Act take effect from and after its passage, and it is so enacted."

The amendment was adopted.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill, as amended, was passed to engrossment.

Senate Bill 415 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 415 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Hardeman
Baker	Hazlewood
Bradshaw	Herring
Colson	Hudson
Crump	Kazen
Dies	Krueger
Fly	Lane
Fuller	Martin
Gonzalez	Moffett

Moore	Rogers
Owen	Secrest
Parkhouse	Smith
Phillips	Weinert
Ratliff	Willis
Reagan	Wood
Roberts	

Senate Bill 349 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 349, A bill to be entitled "An Act defining certain terms as used herein; providing that any county, municipality, taxing district or other political district or subdivision, commission, authority, department or other public agency of the State authorized to borrow money, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 349 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 349 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Bradshaw
Baker	Colson

Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood
Moffett	

Senate Bill 322 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 322, A bill to be entitled "An Act repealing Articles 684, 685, 686, and 687, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 322 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 322 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 347 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 347, A bill to be entitled "An Act amending Section 3, Chapter 344, Acts of the 49th Legislature, 1945, to eliminate the need for the approval of the Board of Control of appointments to the Aeronautics Commission; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 347 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 347 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 206 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 206, A bill to be entitled "An Act amending Article 4447a of Texas Civil Statutes which authorizes a coordinated health program; by authorizing the Commissioners Court of any county or counties and the municipal authorities of any city or cities to cooperate in the establishment of a coordinated health program and by mutual agreement to provide for the payment of all costs incident thereto; to provide for the appointment of a director and his oath of office; to provide for the method of payment of all cost incident thereto; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 206 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 206 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bradshaw
Baker	Colson

Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood
Moffett	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 348 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 348, A bill to be entitled "An Act transferring the authority of the Cigarette Tax Stamp Board to the Comptroller; amending Section 3, Chapter 241, Acts of the 44th Legislature, 1935, as amended; amending Section 3A, Chapter 241, Acts of the 44th Legislature, 1935; and repealing Section 1, Chapter 67, Acts of the 45th Legislature, 2d C. S., 1937; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 348 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three sev-

eral days be suspended and that S. B. No. 348 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 381 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 381, A bill to be entitled "An Act amending Section 1 of Chapter 262, Acts of the 55th Legislature, Regular Session, 1957 (Article 2745c, Vernon's Texas Civil Statutes), to add provisions relating to applications of candidates for county school trustee or trustee of a school district and preparation of the official ballot for

the election; repealing conflicting laws to the extent of conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 381 on Third Reading

Senator Hudson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 381 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 412 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to engrossment:

S. B. No. 412, A bill to be entitled "An Act creating 'Del Mar Conservation District' under and in accordance with the provisions of Article XVI, Section 59, of the Constitution, comprising certain territory lying wholly in Webb County, Texas, for the purpose of providing a source of water supply and the distribution thereof for municipal, domestic and industrial use, processing and transporting it, etc., and declaring an emergency."

The bill was read the second time.

Senator Kazen offered the following Committee Amendment to the bill:

Amend Senate Bill 412 by inserting at the end of Section 2 the following:

"In the event that the District, in the exercise of the power of eminent domain or power of relocation, or any other power granted hereunder, makes necessary the relocation, raising, re-routing or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, re-routing, changing of grade or alteration of construction shall be accomplished at the sole expense of the District."

The Committee Amendment was adopted.

Senator Kazen offered the following amendment to the bill:

Amend S. B. No. 412, page 2, line 8 by inserting the word "South" after the word road and before the figure "50°00'."

The amendment was adopted.

On motion of Senator Kazen and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 412 on Third Reading

Senator Kazen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three

several days be suspended and that S. B. No. 412 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 104 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 104, A bill to be entitled "An Act providing that defendants may put up cash money or the equivalent thereof in approved securities in lieu of a bond or recognizance in all cases where bail is allowed under existing law; providing for a forfeiture, the safe keeping and return of same, the procedure and construction in re-

gard thereto; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 104 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 104 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 105 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 105, A bill to be entitled "An Act to amend Article 582 of the Code of Criminal Procedure of Texas of 1925; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 105 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 105 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 394 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to engrossment:

S. B. No. 394, A bill to be entitled "An Act amending Article 5183, Revised Civil Statutes of Texas, 1925, to enlarge the Industrial Commission to nine members; prescribing qualifications and terms of office; providing for appointments; providing method of filling vacancies; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 394 on Third Reading

Senator Martin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 394 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Hudson
Baker	Kazen
Bradshaw	Krueger
Colson	Lane
Crump	Martin
Dies	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan

Roberts
Rogers
Secrest
Smith

Weinert
Willis
Wood

Senate Bill 403 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 403, A bill to be entitled "An Act transferring collection and administration of the state franchise tax levied by Chapter Three, Title 122, of the Revised Civil Statutes, 1925, as amended from the Secretary of State to the Comptroller of Public Accounts; providing for the method of paying said tax and any penalties, interest or other payments; providing for the transfer of personal property and appropriations from the Secretary of State to the Comptroller of Public Accounts; declaring legislative intent as to the purpose of this Act; providing a savings clause and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 403 on Third Reading

Senator Martin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 403 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 402 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 402, A bill to be entitled "An Act amending Chapter Two, Title 70 of the Revised Civil Statutes, 1925, as amended, by authorizing the Comptroller of Public Accounts to reorganize and consolidate the divisions of his office; permitting the Comptroller of Public Accounts to install and operate a central electronic computing and data processing center; requiring the Comptroller of Public Accounts to prescribe and to revise when needed the form of all claims, registers, warrants, vouchers and all other documents submitted to support payroll and other claims against the State or to support tax payments and other payments to the State; permitting State agencies to enter into agreements with the Comptroller of Public Accounts for the performance of services by electronic computing and data processing machines; repealing all laws in conflict with this Act; providing a savings clause and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 402 on Third Reading

Senator Martin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 402 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Baker
-------	-------

Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 430 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 430, A bill to be entitled "An Act to provide that the Judge of the County Court at Law of Ector County shall be the County Juvenile Judge; providing that the County Court at Law of Ector County be the Juvenile Court of Ector County; providing for an additional salary to be paid said Judge for service as Juvenile Judge; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the pas-

sage of S. B. No. 430 to engrossment.

Senate Bill 430 on Third Reading

Senator Owen moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 430 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Senate Bill 92 on Second Reading

The Presiding Officer laid before

the Senate on its second reading and passage to engrossment:

S. B. No. 92, A bill to be entitled "An Act relating to expenses of members of the Commissioners' Court in connection with the use of privately owned automobiles for traveling on official business within the County; amending Chapter 456, Acts of the Fifty-second Legislature, 1951, as amended by Chapter 437, Acts of the Fifty-fourth Legislature, 1955, by amending Section 3b thereof, providing that the County Judge of such Counties affected by the Act shall be authorized to receive the same amount of car allowance as paid to the Commissioners; and declaring an emergency."

The bill was read second time.

Senator Parkhouse offered the following amendment to the bill:

Amend S. B. 92 by inserting between the word "county" and "is" in Line 5 of Section 3b the following: "having a population of more than 600,000 according to the last preceding or any future Federal Census"

The amendment was adopted.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amendment was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 92 to engrossment.

Senate Bill 92 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 92 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Fly
Baker	Fuller
Bradshaw	Gonzalez
Colson	Hazlewood
Crump	Herring
Dies	Hudson

Kazen	Ratliff
Krueger	Reagan
Lane	Roberts
Martin	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Senate Bill 213 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 213, A bill to be entitled "An Act to amend Sections 4 and 10-D of Chapter 425, Acts of the Regular Session of the 55th Legislature, which carried into effect the provisions of Article III, Section 49-c of the Constitution creating the Texas Water Development Board; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 213 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and

that S. B. No. 213 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 252 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 252, A bill to be entitled "An Act relating to examination fees for credit unions; amending Section 5 of Chapter 87, Acts of the 33rd Legislature, Regular Session 1913, as amended (codified as Article 2465 of Vernon's Texas Civil Statutes), so as to provide that each credit union examined by the Department of Banking shall pay an examination fee not

to exceed Fifty-five (\$55.00) Dollars per day per person engaged in each examination or a total fee of Ten (\$10.00) Dollars per One Thousand (\$1,000.00) Dollars of assets or fraction thereof as reflected by the examination, whichever is lower, with a minimum of Ten (\$10.00) Dollars; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 252 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 252 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Krueger
Baker	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith

Weinert
Willis

Wood

Senate Bill 290 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 290, A bill to be entitled "An Act amending Chapter 75, Acts of the Regular Session of the 50th Legislature (relating to the Texas Municipal Retirement System), as heretofore amended, amending Subsections 25 and 26 of Section II of said Act, amending Subsection 1 of Section IV (a) of Subsection 2 of Section IV of said Act; amending paragraph (a) of Subsection 1 of Section V and Subsections 6 and 7 of Section V of said Act; etc.; and declaring an emergency."

The bill was read the second time.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend Senate Bill 290, page 17, line 6, by striking out the words "use or" appearing in the last sentence of Article 6 of the bill.

The Committee Amendment was adopted.

Senator Parkhouse offered the following amendment to the bill:

Amend S. B. 290 by striking out all of Article 6 in said bill, and by renumbering the succeeding two articles so as to designate them respectively Article 6 and Article 7.

The amendment was adopted.

On motion of Senator Parkhouse and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 290 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 290 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin

Baker

Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 421 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 421, A bill to be entitled "An Act to amend Article 14, Section 125, Chapter 421, Acts of 50th Legislature, Regular Session, 1947, Codified as Article 6701-D of Vernon's Texas Statutes, regulating the use of lighting equipment as warning or signal devices on motor vehicles; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 421 on Third Reading

Senator Moore moved that Senate Rule 32 and the Constitutional Rule

requiring bills to be read on three several days be suspended and that S. B. No. 421 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 13, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 890, An Act authorizing the Commissioners Court in and for

the County of Wood to use force labor, county owned equipment and technical help in construction and maintenance work within the bounds of Governor James Stephen Hogg Memorial Shrine Park; authorizing a working agreement between the Commissioners Court of Wood County and the State Parks Board; repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency.

Respectfully submitted,
DOROTHY HALLMAN,
Chief Clerk. House of Representatives

Senate Bill 344 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 344, A bill to be entitled "An Act amending Article 7122 of the Revised Civil Statutes of Texas of 1925, as last amended; broadening and specifically setting out exemptions from the inheritance tax on certain foreign bequests; providing for application to persons dying before the effective date under given conditions; repealing all laws in conflict; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 344 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 344 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 384 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 384, A bill to be entitled "An Act to amend Article 9.11 of the Insurance Code of the State of Texas, Acts of the 52nd Legislature (1951) as amended by the 54th Legislature (1955) requiring title insurance corporations to create and maintain unearned premium reserves by amending said section to provide that corporations writing title insurance in Texas shall, out of the gross premium on each and every policy issued on and after January 1, 1959, as to companies which have accumulated the maximum \$100,000.00 reserve provided for by said Article, deduct an amount equal to three percent (3%) of such premium as an unearned premium reserve; etc., and declaring an emergency."

The bill was read the second time.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend S. B. 384 by striking all below the enacting clause and inserting in lieu thereof the following:

Sec. 1. That Article 9.11 Chapter 9, of the Insurance Code, Acts of 52nd Legislature, Regular Session, 1951, Chapter 491, as amended by Acts of

54th Legislature, Regular Session, 1955, Chapter 489, shall be and hereby is amended to read as follows:

"Art. 9.11. Reserve.

(1) Every domestic company doing a title insurance business under the provisions of this chapter shall establish and maintain an unearned premium reserve during the period and for the uses and purposes hereafter provided, which shall at all times and for all purposes be deemed and shall constitute unearned portions of the original premium, and shall be charged as a reserve liability of such company in determining its financial condition.

(2) Such reserve shall be cumulative and shall be established and shall consist of the following:

(a) The reserve which has been established as has been required to be established by such companies up to the effective date of this Act, pursuant to Article 9.11 of the Insurance Code, Acts of the 52nd Legislature, Regular Session, 1951, Chapter 491 as amended by the Acts of the 54th Legislature, Regular Session, 1955, Chapter 489; and

(b) Beginning on January 1, 1959, each insurer which has accumulated the maximum unearned premium reserve of One Hundred Thousand Dollars (\$100,000.00) required by Article 9.11 Chapter 9 of the Insurance Code, as amended by Acts of 54th Legislature, Regular Session, 1955, shall reserve a sum equal to three percent (3%) of the premiums charged for title insurance contracts; and

(c) Beginning on January 1, 1959, each insurer which has not accumulated the maximum unearned premium reserve of One Hundred Thousand Dollars (\$100,000.00) required by Article 9.11, Chapter 9 of the Insurance Code, as amended by Acts of 54th Legislature, Regular Session, 1955, shall reserve a sum equal to five percent (5%) of the premiums charged for title insurance contracts until the unearned premium reserve shall have reached a total of One Hundred Thousand Dollars (\$100,000.00) and thereafter such insurer shall reserve a sum equal to three percent (3%) of the premium charged for title insurance contracts; and

(d) Beginning on January 1, 1959, each domestic insurer shall reserve a sum equal to ten percent (10%) of the risk rate charged for title insurance contracts on property outside the

State of Texas. This requirement to be cumulative of, and not in addition to, the reserve requirement that might be imposed upon such insurer in such other state or states.

(3) The term 'premium' as used herein means the total amount of premium as fixed and promulgated by the State Board of Insurance in accordance with Article 9.03 of this Code for title insurance contracts covering property in this State.

(4) The reserves as provided in subdivision (2) of this Article may be reduced in the following manner, which reduction may be used for any corporate purpose:

(a) As to insurers which have accumulated the maximum unearned premium reserve of One Hundred Thousand Dollars (\$100,000.00) under the provisions of (2)(a) above, as of the effective date of this Act, such unearned premium shall be reduced at the rate of one twentieth (1/20th) thereof per year beginning at the end of calendar year 1959 and a like amount at the end of each calendar year thereafter for twenty (20) consecutive years.

(b) As to insurers which have accumulated reserves as provided in (2)(b) and (2)(d) above, such unearned premium shall be reduced at the end of each calendar year in which the title insurance contract was issued at the rate of one twentieth (1/20th) of such sum per year and a like amount at the end of each calendar year thereafter for twenty (20) consecutive years.

(c) As to insurers which have accumulated reserves as provided in (2)(c) above, such unearned premium shall be reduced at the rate of one twentieth (1/20th) of such sum per year beginning at the end of the calendar year in which such One Hundred Thousand Dollars (\$100,000.00) shall have been accumulated and a like amount at the end of each calendar year thereafter for twenty (20) consecutive years.

(5) Any foreign title insurance company doing business in this State shall be required to comply with the provisions of this Article unless by the laws of its State of domicile, it is required to set aside and maintain unearned premium reserve in substantially the same amount as required by this Article.

(6) Such reserve fund shall be held in cash or invested in first mortgage

notes or such securities as are admissible for investment by life insurance companies under the laws of this State.

(7) In the event of the insolvency or dissolution of any such insurer, such reserve fund shall be used to protect title insurance contract holders, even though there be no accrued title insurance claims and even though there be unpaid obligations of other sorts."

Sec. 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed; and, in case of such conflict, the provisions of this Act shall control and be effective.

Sec. 3. If any section, paragraph, sentence, clause or word of this Act is held to be unconstitutional, the remaining portion of the same shall nevertheless be valid, and the Legislature hereby declares that the Act would have been enacted without such unconstitutional portion.

Sec. 4. The need for revision of the statutes with reference to adequacy of reserves and for protecting the interest of policy holders, and the condition of the calendar, create an emergency and an imperative public necessity that the constitutional rules requiring Bills to be read on three several days in each House be suspended, and said Rule is hereby suspended and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The Committee Amendment was adopted.

Senator Parkhouse offered the following Committee Amendment to the bill:

Amend S. B. No. 384 by striking all above the enacting clause and inserting in lieu thereof the following:

An Act amending and revising Article 9-11 Chapter 9 of the Insurance Code, Acts of 52nd Legislature, Regular Session, 1951, Chapter 491, as amended by the Acts of 54th Legislature, Regular Session, 1955, Chapter 489; providing for unearned premium reserves; providing a method of accumulating such reserves; providing a definition of the term "premium"; providing a time of release of such reserve; making provision for foreign title insurance company reserves; providing a method of han-

dling such reserves; providing for priority of such funds; repealing all laws or parts of laws in conflict herewith; providing that a holding of unconstitutionality of any part of this Act shall not affect the remainder; and declaring an emergency.

The Committee Amendment was adopted.

The bill as amended was passed to engrossment.

Senate Bill 384 on Third Reading

Senator Parkhouse moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 384 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers

Secrest
Smith
Weinert

Willis
Wood

Report of Standing Committee

Senator Fly by unanimous consent submitted the following report:

Austin, Texas,
April 13, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, you Committee on Finance, to whom was referred House Bill 216, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do not pass but that the committee substitute do pass and be printed.

FLY, Chairman.

C. S. H. B. No. 216 was read the first time.

Committee Substitute House Bill 216 Ordered Not Printed

On motion of Senator Fly and by unanimous consent C. S. H. B. No. 216 was ordered not printed.

Recess

On motion of Senator Weinert the Senate at 11:55 o'clock a.m. took recess until 2:00 o'clock p.m. today.

After Recess

The Presiding Officer (Senator Hardeman in the Chair.) called the Senate to order at 2:00 o'clock p.m. today.

Senate Bill 281 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 281, A bill to be entitled "An Act to designate the terms of office of Drainage Commissioners of Nueces County Drainage District No. 2; providing for election of Drainage Commissioners; repealing all laws in conflict with this Act; and providing a severability clause; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 281 on Third Reading

Senator Reagan moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 281 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 416 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 416, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution, to be

known as the 'Grayson County Water and Sewer Authority,' for the purpose of providing or acquiring a source or sources of water supply for domestic and industrial uses and processing, transporting and distributing the same and for the purpose of providing or acquiring a sanitary sewer system; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 416 on Third Reading

Senator Roberts moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 416 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers

Secrest
Smith
Weinert

Willis
Wood

Senate Bill 419 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 419, A bill to be entitled "An Act creating a conservation and reclamation district under Article XVI, Section 59, of the Constitution, comprising certain territory within the State to be known as 'Red River Authority of Texas'; providing for the organization, government and operation of the Authority; making applicable to the Authority the general laws relating to water control and improvement districts; providing for the incurring of obligations and the methods for paying such obligations; providing for other powers; enacting other provisions relating to the subject; providing a savings clause; and declaring an emergency."

The bill was read second time.

Senator Rogers offered the following amendment to the bill:

Amend Senate Bill 419 by Rogers by adding after the end of the second sentence of Section 16 the following sentence:

"Provided, however, no contract shall be made conveying the title or use of any waters of the Red River and its Texas tributaries to any person, firm, corporation or other state or subdivision of government, for sale or use in any other state, unless such contract be specifically authorized by an act of the Texas Legislature and thereafter as approved by it."

The amendment was adopted.

Senator Rogers offered the following amendment to the bill:

Amend S. B. 419, Section 26, subsection (a) by striking the first sentence only of subsection (a) and placing in lieu thereof the following sentence:

"For the purpose of providing funds for any purpose authorized by this Act the Authority shall have the power and is hereby authorized to issue bonds from time to time as authorized by this Act, provided that

the aggregate principal amount of such bonds outstanding at any one time shall not exceed Twenty-five Million Dollars (\$25,000,000.00)."

The amendment was adopted.

Senator Aikin offered the following amendment to the bill:

Amend S. B. 419 by adding at the end of Section 2 the following:

"None of the provisions of this Act shall apply to the following counties, Red River County, Lamar County, Delta County, Hopkins County, Franklin County, Titus County, Morris County, Cass County, Marion County, and Bowie County."

The amendment was adopted.

On motion of Senator Rogers and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 419 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 419 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 163 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 163, A bill to be entitled "An Act to amend Section 18 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 51a of Article 4477, Vernon's Texas Civil Statutes, providing for the filing of applications for delayed registrations of birth with the State Registrar of Vital Statistics and, under certain conditions, with the probate courts; providing for revised standards and procedures for the delayed registration of births and the adoption of regulations relating thereto by the State Department of Health; providing fees therefor; providing the time this Act shall take effect; and declaring an emergency."

The bill was read the second time.

Senator Secrest offered the following committee amendment to the bill:

Amendment to Senate Bill No. 163 of the 56th Legislature, R.S., by striking out all of the caption and insert in lieu thereof the following:

"An Act to amend Section 18 of Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended, which is codified as Rule 51a of Article 4477, Vernon's Texas Civil Statutes, providing for the filing of applications for delayed registrations of birth with the State Registrar of Vital Statistics and, under certain conditions, with the county courts for probate matters; providing for revised standards and procedures for

the delayed registration of births and the adoption of regulations relating thereto by the State Department of Health; providing fees therefor; providing the time this Act shall take effect; and declaring an emergency."

The committee amendment was adopted.

Senator Secrest offered the following committee amendment to the bill:

Amendment to Senate Bill No. 163 of the 56th Legislature, R.S., by striking out all of Subsection C and inserting in lieu thereof the following:

"C. Judicial Procedure to Establish Facts of Birth.

1. If a delayed certificate of birth is not accepted by the State Registrar under the provisions of Subsection B of this Section, a petition may be filed with the county court for probate matters of the county in which the birth occurred for an order establishing a record of the date of birth, place of birth, and parentage of the person whose birth is to be registered.

2. Such petition shall be made on a form prescribed and furnished by the State Department of Health.

3. The petition shall be accompanied by a statement of the State Registrar issued in accordance with Subsection B(6) of this Section and all documentary evidence which was submitted to the State Registrar in support of such registration.

4. If the court, from the evidence presented, finds that the person for whom the delayed certificate of birth is sought was born in this State, it shall make findings as to the date and place of birth and parentage and such other findings as the case may require and shall issue an order on a form prescribed and furnished by the State Department of Health to establish a record of birth. This order shall include the birth data to be registered, a description of the evidence presented, and the date of the court's action.

5. The fees of the court shall be the same as those set out in Articles 3925 and 3930, Vernon's Texas Civil Statutes.

6. The clerks of the courts shall forward each such order to the State Registrar within seven days after it was entered. Such order shall be registered by the State Registrar and shall constitute the record of birth, from which copies may be issued in accordance with the provisions of Section 21 of this Act."

The committee amendment was adopted.

Senator Secrest offered the following Committee Amendment to the bill:

Amendment to Senate Bill No. 163 of the 56th Legislature, R. S., by striking out all of Subsection B and inserting in lieu thereof the following:

"B. Delayed Registration of Births.

Subject to the regulations and requirements of the State Department of Health:

1. An application to file a delayed certificate of the birth of a person born in this State, and not previously registered as provided by Law, shall be made to the State Registrar of Vital Statistics.

2. When the birth occurred more than five days but less than one year prior to the application for registration, the birth may be registered on a certificate of live birth and be submitted for filing to the local registrar of the district in which the birth occurred. The local registrar may accept the certificate for filing when such evidence is submitted to substantiate the facts of birth as may be required by the local registrar. A statement may be required to explain the delay in filing the certificate.

3. When the birth occurred one year but less than four years prior to the application for registration, the birth shall be registered on a form prescribed by the State Registrar of Vital Statistics and shall be submitted to him for filing. The State Registrar may accept the certificate for filing when such evidence is submitted to substantiate the facts of birth as may be required by the State Registrar. A statement may be required to explain the delay in filing the certificate. Each certificate thus filed shall be marked 'Delayed.'

4. When the birth occurred four or more years prior to the application for registration, the certificate of birth shall be prepared on a form entitled 'Delayed Certificate of Birth,' which form shall be prescribed and furnished by the State Department of Health. The information provided on such registration form shall be subscribed to by the person whose birth is to be registered before an official authorized to administer oaths. When such person is not competent to swear

to this information, it shall be subscribed and sworn to by a parent, legal guardian, or the representative of such person.

a. The form shall provide for the name and sex of the person whose birth is to be registered, and place and date of birth, the names of the parents, and their birthplaces, and such other information as may be required by the State Registrar.

b. When the certificate is submitted, the State Registrar shall add a description of each document submitted in support of the delayed registration including the title or kind of document; the name and address of the affiant if the document is an affidavit of personal knowledge, or of the custodian, if the document is a record of a business entry or a certified copy thereof; the date of the original entry and the date of the certified copy; and

c. The certification of the State Registrar shall be added to those certificates accepted for filing. The State Registrar shall issue certified copies of such certificates in accordance with the provisions of Section 21 of this Act.

5. The State Registrar shall accept the registration if the applicant was born in this State and if the applicant's statement of date and place of birth and parentage is established to the satisfaction of the State Registrar by the following evidence:

a. If the birth occurred four years but less than fifteen years prior to the date of filing:

(1) The statement of date and place of birth shall be supported by at least two documents, only one of which may be an affidavit of personal knowledge.

(2) The statement of parentage shall be supported by at least one document, which may be one of the above documents.

b. If the birth occurred fifteen or more years before the date of filing:

(1) The statement of date and place of birth shall be supported by at least three documents, only one of which may be an affidavit of personal knowledge.

(2) The statement of parentage shall be supported by at least one document, which may be one of the above documents.

(3) Any document accepted as evidence, other than an affidavit of personal knowledge, shall be at least five years old. A copy or abstract of such

document may be accepted if certified as true and correct by the custodian of the document.

6. When an applicant does not submit the documentary evidence as specified above, or when the State Registrar finds reason to question the validity or adequacy of the certificate or the documentary evidence, the State Registrar shall not register the delayed certificate, shall furnish the applicant with a statement of the reasons for such action, and shall advise the applicant of his right to appeal to the county court for probate matters of the county of birth as provided in Subsection C of this Section.

7. A certificate of birth registered one year or more after the date of birth shall show on its face the date of the registration and shall be marked 'Delayed.'

8. If an application for a delayed registration of birth is not actively prosecuted, the State Registrar shall return the application, supporting evidence, and any related instruments to the applicant or make such other disposition thereof as the State Registrar may deem appropriate.

9. For each application for a delayed certificate of birth, the State Registrar shall be entitled to a fee of Three Dollars (\$3.00), said fee to be paid by the applicant. All such fees received by the State Registrar under the provisions of this Section shall be deposited and used as provided in Section 21 of this Act."

The Committee Amendment was adopted.

Senator Secrest offered the following Committee Amendment to the bill:

Amendment to Senate Bill No. 163 of the 56th Legislature, R. S., by striking out all of Subsection D and inserting in lieu thereof the following:

"D. Delayed Registration of Deaths.

Any person wishing to file the record of any death occurring in Texas and not previously registered may submit to the county court for probate matters of the county in which the death occurred a record of that death, written on the adopted form of death certificate. The certificate shall be substantiated by the affidavit of the physician last in attendance upon the deceased, or the funeral director who buried the body. When the affidavit of the physician or funeral

director cannot be secured, the certificate shall be supported by (a) the affidavit of some person who was acquainted with the facts surrounding the death, at the time the death occurred, and (b) the affidavit of some person who was acquainted with the facts surrounding the death, and who is not related to the deceased by blood or marriage. Provided that when application is made as provided in this paragraph, a fee of One Dollar (\$1.00) shall be collected by the court, Fifty Cents (50¢) of which shall be retained by the court, and Fifty Cents (50¢) of which shall be retained by the clerk of the court for recording said death certificate. Within seven (7) days after the certificate has been accepted and ordered filed by the court, the clerk of that court shall forward the certificate to the State Bureau of Vital Statistics with an order from the court to the State Registrar that the certificate be accepted. The state Registrar is authorized to accept the certificate when verified in the above manner, and shall issue certified copies of such records as provided for in Section 21 of this Act. Such certified copies shall be prima facie evidence in all courts and places of the facts stated thereon. The State Bureau of Vital Statistics shall furnish the forms upon which such records are filed, and no other form shall be used for that purpose."

The Committee Amendment was adopted.

On motion of Senator Secrest and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 163 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 163 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Crump
Baker	Dies
Bradshaw	Fly
Colson	Fuller

Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Secrest
Lane	Smith
Martin	Weinert
Moffett	Willis
Moore	Wood
Owen	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

Record of Vote

Senator Willis asked to be recorded as voting "Nay" on the final passage of S. B. No. 163.

Senate Bill 226 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 226, A bill to be entitled "An Act amending Senate Bill No. 456, Chapter 315, Acts of the 55th Legislature, Regular Session, 1957 (Article 2876k, V.T.C.S.), so as to authorize the State Board of Education to acquire, purchase and contract for books published in Large Type as well as Braille recommended as suitable for use as textbooks for the education of the blind scholastics in the public school systems of Texas; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 226 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 226 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Bradshaw
Baker	Colson

Crump	Moore
Dies	Owen
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Roberts
Herring	Rogers
Hudson	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood
Moffett	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 243 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 243, A bill to be entitled "An Act prescribing duties of the Comptroller of Public Accounts in reference to the cancellation of Bonds of Public Corporations (as defined herein) which are no longer useful and which are in the safekeeping of such officer, enacting other provisions related to the subject, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 243 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that

S. B. No. 243 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Senate Bill 263 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 263, A bill to be entitled "An Act authorizing Bell County to supplement the salary of the District Attorney of the 27th Judicial District and providing for severability; providing for the maximum supplemental salary that may be paid by Bell County; and declaring an emergency."

The bill was read second time and passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 263 to engrossment.

Senate Bill 263 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 263 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Senate Bill 271 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 271, A bill to be entitled "An Act amending Article 2843, Revised Civil Statutes of Texas 1925, as last amended by Senate Bill 37, Chapter 470, Acts of the 51st Legislature, Regular Session, 1949; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 271 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 271 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Fuller
Baker	Gonzalez
Bradshaw	Hardeman
Colson	Hazlewood
Crump	Herring
Dies	Hudson
Fly	Kazen

Krueger	Reagan
Lane	Roberts
Martin	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood
Ratliff	

Senate Bill 316 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 316, A bill to be entitled "An Act authorizing counties, cities, water control and improvement districts, drainage districts and other political subdivisions to enter contracts with soil conservation districts for the joint acquisition of right-of-ways or joint construction, or maintenance of dams, flood detention structures, canals, drains, levees and other improvements for flood control and drainage as related to flood control, and for making necessary outlets, and maintaining them; providing that such contracts shall contain such terms; provisions and details as the governing bodies of the respective political subdivisions determine to be necessary under all the facts and circumstances; etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 316 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 316 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hudson
Baker	Kazen
Bradshaw	Krueger
Colson	Lane
Crump	Martin
Dies	Moffett
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan

Roberts	Weinert
Rogers	Willis
Secrest	Wood
Smith	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 13, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 47, Prohibiting the importation in to this country of sheep infected with scrapie.

H. B. No. 559, An Act extending the automatic extension of time for each one hundred and sixty (160) acres improved to two (2) years and modifying and redefining "Reasonable Time" as being five (5) years as set forth in Senate Bill No. 341, Subsection (2), Section 2, and in Section 3 of Chapter 308, Acts of the Regular Session of the Fifty-fifth Legislature, which Act modified House Bill No. 743, General and Special Laws of Texas, Acts of the Fifty-fourth Legislature, relating to submerged and unsubmerged lands lying within an area known as Tract C, Laguna Madre Subdivision for Mineral Development, dated November 1, 1948, and revised September 1, 1951, by addition of "Cayo Del Oso" Subdivision, pre-

pared by the General Land Office of the State of Texas; providing that conveyances shall be of surface estates only; repealing and modifying all laws or parts of laws in conflict herewith; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bills and Resolutions Signed

The Presiding Officer announced the signing by the President in the presence of the Senate after the captions had been read, the following enrolled bills and resolutions:

S. B. No. 22, A bill to be entitled "An Act to amend Section 2 and Section 49, of House Bill No. 407, Chapter 4, Acts of the Forty-sixth Legislature, Regular Session, 1939, and to amend Section 1 thereof, as amended by Section 1 of House Bill No. 205, Chapter 187, Acts of the Forty-seventh Legislature, Regular Session, 1941, as amended by Section 1, Chapter 105, Acts of the Fiftieth Legislature, Regular Session, 1947, providing for the inclusion of 'Trailers' and 'Semi-trailers' having a gross weight in excess of Four Thousand (4,000) pounds; adding two (2) new sections to be known as Section 2b, defining the term 'Trailer' and Section 2c defining the term 'Semi-trailer'; to amend Section 49, of House Bill 407, Chapter 4, Acts of the Forty-sixth Legislature, Regular Session, 1939, and to amend Section 49(e), House Bill 286, Chapter 105, Acts of the Fiftieth Legislature, Regular Session, 1947, authorizing the State Highway Department of the State of Texas to assign serial numbers for trailers and semi-trailers having a gross weight in excess of Four Thousand, etc., and declaring an emergency."

S. B. No. 48, A bill to be entitled "An Act establishing the Andrews County Juvenile Board; prescribing its membership and powers and providing for compensation of its members; repealing conflicting laws; providing for severability; and declaring an emergency."

S. B. No. 43, A bill to be entitled "An Act relating to the salaries of all state officers and employees except the salaries and other compensation of District Judges; specifically

providing that the Legislature shall fix the amount of compensation to be paid clerks of the Court of Civil Appeals, the Supreme Court and the Courts of Criminal Appeals out of the fees of office; specifically suspending all laws and parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 214, A bill to be entitled "An Act relating to bonds, undertakings, recognizances, guarantees or other obligations executed by surety companies duly qualified to do business in Texas; and declaring an emergency."

S. C. R. No. 48, Suspending the Joint Rules to consider S. B. No. 315 at any time.

S. C. R. No. 49, Expressing appreciation to Congress of Parents and Teachers on 50th anniversary.

Senate Bill 435 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 435, A bill to be entitled "An Act relating to the functioning of the Probate Court of Tarrant County and the County Court of Tarrant County in probate matters; amending Sections 3 and 11 of Chapter 400, Acts of the 55th Legislature, Regular Session, 1957 (codified as Sections 3 and 11 of Article 1970-345 in Vernon's Texas Civil Statutes), relating to the filing of proceedings in the said Courts, the transfer of proceedings from one Court to the other, and the hearing and determination of proceedings pending in either of said Courts by the Judge of the other of said Courts; adding a new section to said Chapter 400, providing that proceedings had in either of said Courts shall not be invalid on certain grounds and validating previous acts and proceedings as against charges of invalidity on such grounds; providing for severability; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of S. B. No. 435 to engrossment.

Senate Bill 435 on Third Reading

Senator Willis moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that S. B. No. 435 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

Committee Substitute Senate Bill 367 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 367, A bill to be entitled "An Act amending Article 519 of the Penal Code of Texas, 1925, defining the offense of pandering and providing a penalty therefor; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Committee Substitute
Senate Bill 367 on Third Reading**

Senator Willis moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 367 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

**Senate Concurrent Resolution 38
on Second Reading**

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 38, Granting Cyril Verstuyft et ux. permission to sue the State of Texas.

The resolution was read and was adopted.

**Senate Concurrent Resolution 39
on Second Reading**

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 39, Granting Marie Verstuyft permission to sue the State of Texas.

The resolution was read and was adopted.

**Senate Concurrent Resolution 40
on Second Reading**

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 40, Granting Remi Aelvoet et ux. permission to sue the State of Texas.

The resolution was read and was adopted.

**Senate Concurrent Resolution 24
on Second Reading**

The Presiding Officer laid before the Senate on its second reading the following resolution:

S. C. R. No. 24, Dedicating and granting to the City of Austin for street and sewage purposes certain easements and rights-of-way of various lands owned by the State of Texas.

The resolution was read and was adopted.

**Senate Concurrent Resolution 46
on Second Reading**

The Presiding Officer laid before the Senate on its second reading:

S. C. R. No. 46, Granting Mrs. Evelyn Campbell Woodson permission to sue the State of Texas.

The resolution was read and was adopted.

House Bill 365 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 365, A bill to be entitled "An Act establishing the Marion County Juvenile Board; prescribing its membership and powers and providing for compensation of its members; authorizing appointment of a juvenile officer; prescribing his powers and duties and providing for his compensation and expenses; repealing conflicting laws; providing for severability; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 365 to third reading.

House Bill 365 on Third Reading

Senator Aikin moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 365 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yea—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

House Bill 186 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 186, A bill to be entitled "An Act authorizing the optional use of paper ballots for precinct offices, in conjunction with the use of voting machines for other offices, for conducting absentee voting by personal appearance in the clerk's office, and providing procedures for casting, counting, and making returns of absentee ballots at elections where this method is used; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 186 on Third Reading

Senator Baker moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 186 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Martin
Fly	Moffett
Fuller	Moore
Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Phillips

Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	Wood
Secrest	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 352 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 352, A bill to be entitled "An Act to amend Article 1659, Chapter 2, Title 34, of the Revised Civil Statutes of the State of Texas, 1925, relating to the purchasing of supplies for the use of counties, providing for the advertising for bids once each week for two (2) successive weeks in at least one daily newspaper published and circulated in the county, and providing that in cases of emergency purchases may be made upon requisition approved by the commissioners' court without advertising for competitive bids, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 352 on Third Reading

Senator Baker moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 352 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 375 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 375, A bill to be entitled "An Act to amend Section 121 Article 6701d of the Revised Civil Statutes of 1947 regulating the lighting of a vehicle parked or stopped upon a roadway or shoulder adjacent thereto; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read the second time.

Senator Crump offered the following Committee Amendment to the bill:

Amend House Bill 375 by striking out all of Section 1. Insert in lieu thereof the following:

Section 1. Article XIV, Section 121, Chapter 421, Acts, Fiftieth Legislature, Regular Session, 1947, codified as Article 6701d of Vernon's Texas Statutes, is hereby amended to hereafter read as follows:

Section 121. Whenever a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto, whether attended or unattended during the times mentioned in Section 109, such vehicle shall be equipped with one or more lamps which shall exhibit a white or amber light on the roadway side visible from a distance of five hundred (500) feet to the front of such vehicle and a red light visible from a distance of five hundred (500) feet to the rear, except that local authorities may provide by ordinance or resolution that no lights be displayed upon any such vehicle when stopped or parked in accordance with local parking regulations upon a highway where there is sufficient light to reveal any person within a distance of five hundred (500) feet upon such highway. Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

The Committee Amendment was adopted.

On motion of Senator Crump and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 375 on Third Reading

Senator Crump moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 375 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Fuller
Baker	Gonzalez
Bradshaw	Hardeman
Colson	Hazlewood
Crump	Herring
Dies	Hudson
Fly	Kazen

Krueger	Reagan
Lane	Roberts
Martin	Rogers
Moffett	Secrest
Moore	Smith
Owen	Weinert
Parkhouse	Willis
Phillips	Wood
Ratliff	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 498 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 498, A bill to be entitled "An Act amending Section 7, Senate Bill No. 47, Chapter 36, Acts of the 51st Legislature, First Called Session, 1950, relating to the taking or killing of prong-horn antelope and wild elk; the issuing of permits; providing a repealing clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 498 to third reading.

House Bill 498 on Third Reading

Senator Crump moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B.

No. 498 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

House Bill 564 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 564, A bill to be entitled "An Act amending Sections 16, 17, and 19 of House Bill No. 578, Chapter 209, Acts of the Forty-eighth Legislature, Regular Session, 1943,

relating to the taking or killing of prong-horn antelope and wild elk; the issuing of permits; etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of House Bill 564 to third reading.

House Bill 564 on Third Reading

Senator Crump moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 564 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Martin
Fly	Moffett
Fuller	Moore
Gonzalez	Owen
Hazlewood	Parkhouse

Phillips	Secrest
Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	Wood

Nays—1

Hardeman

House Bill 271 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 271, A bill to be entitled "An Act ratifying, confirming and validating the designation of the boundary lines and the designation of the Dallam County underground water conservation District No. 1 north of Canadian River in Texas, dated December 22, 1950, and of the creation and establishment of the Dallam County underground water conservation District No. 1; prescribing the powers, functions and limitations of such District, including power to levy taxes and issue bonds; providing the Act shall not be construed to affect any district or bond proceedings or bonds issued or to be issued in which there is pending litigation upon the effective date of the Act; containing a savings clause; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 271 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 271 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts

Rogers	Weinert
Secrest	Willis
Smith	Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

House Bill 121 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 121, An Act relating to the authority of local units of government to contract regarding the assessing and collecting of local taxes; amending Section 1, 2, and 2a of Chapter 351, Acts of the Forty-ninth Legislature, 1945, as amended; and declaring an emergency.

The bill was read the second time.

Senator Herring offered the following amendment to the bill:

Amend House Bill 121 by striking out the words "the same value as" on line 32 of the printed bill and inserting in lieu thereof the words "not more than the value for which."

The amendment was adopted.

On motion of Senator Herring and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 121 on Third Reading

Senator Herring moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 121 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 148 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 148, A bill to be entitled "An Act confirming the existence of the Constitutional Office of Criminal

District Attorney of Hidalgo County, Texas, and insuring the continuance thereof; providing official bond; repealing any law in conflict to the extent of such conflict only; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 148 on Third Reading

Senator Hudson moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 148 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 260 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 260, A bill to be entitled "An Act providing an open season when it shall be lawful to hunt, take or kill squirrels in Rusk County; providing penalties; repealing laws in conflict; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 260 on Third Reading

Senator Lane moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 260 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Herring
Baker	Hudson
Bradshaw	Kazen
Colson	Krueger
Crump	Lane
Dies	Martin
Fly	Moffett
Fuller	Moore
Gonzalez	Owen
Hardeman	Parkhouse
Hazlewood	Phillips

Ratliff	Smith
Reagan	Weinert
Roberts	Willis
Rogers	Wood
Secrest	

House Bill 633 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 633, A bill to be entitled "An Act relating to the hunting, taking, or killing of deer and wild turkey in Throckmorton County; providing penalties; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 633 on Third Reading

Senator Moffett moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 633 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Fly
Baker	Fuller
Bradshaw	Gonzalez
Colson	Hardeman
Crump	Hazlewood
Dies	Herring

Hudson	Ratliff
Kazen	Reagan
Krueger	Roberts
Lane	Rogers
Martin	Secrest
Moffett	Smith
Moore	Weinert
Owen	Willis
Parkhouse	Wood
Phillips	

House Bill 681 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 681, A bill to be entitled "An Act making it unlawful to take, hunt, kill, or attempt to kill wild deer or wild turkey in Shackelford County for a period of five (5) years from and after the effective date of this Act; providing a penalty therefor; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 681 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 681 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 119 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 119, A bill to be entitled "An Act creating the County Court at Law of Nolan County, Texas, and making other provisions relative thereto; repealing all laws in conflict; providing for severability; and declaring an emergency."

The bill was read second time and passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "Nay" on the passage of H. B. No. 119 to third reading.

House Bill 119 on Third Reading

Senator Ratliff moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 119 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Kazen
Baker	Krueger
Bradshaw	Lane
Colson	Martin
Crump	Moffett
Dies	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Roberts

Rogers
Secrest
Smith

Weinert
Willis
Wood

Nays—1

Hardeman

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Nays—1

Hardeman

House Bill 153 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 153, An Act requiring veterinarians to report certain contagious and infectious diseases of animals and domestic fowl to the Livestock Sanitary Commission of Texas and to inform the owner or caretaker of livestock or fowl which have died of anthrax or ornithosis to burn such animals or fowl as provided by law; providing that a specimen from animals diagnosed as having died of anthrax be submitted for laboratory examination; providing a penalty for violation; and declaring an emergency.

The bill was read the second time.

Senator Rogers offered the following Committee Amendment to the bill:

Amend H. B. No. 153 by striking out the second sentence only in Section 2.

The Committee Amendment was adopted.

On motion of Senator Rogers and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 153 on Third Reading

Senator Rogers moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 153 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Bill 344 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 344, An Act relating to the requirement of performance and payment bonds by public contractors and claims and liens thereunder for materials and labor; amending Article 5160 of the Revised Civil Statutes of Texas, 1925; and Section 1, Chapter 17, Acts of the Thirty-ninth Legislature, 1925; repealing Articles 5161, 5162, 5163 and 5164 of the Revised Civil Statutes of Texas, 1925; providing for severability; and declaring an emergency.

The bill was read second time and was passed to third reading.

House Bill 344 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 344 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Dies
Baker	Fly
Bradshaw	Fuller
Colson	Gonzalez
Crump	Hardeman

Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Martin	Smith
Moffett	Weinert
Moore	Willis
Owen	Wood
Parkhouse	

House Bill 105 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 105, A bill to be entitled "An Act amending Article 57 of the Revised Civil Statutes of Texas, 1925, as amended, providing for the State Seed and Plant Board, appointment and tenure of members, creation and filling of vacancies, organization and meetings of the Board, and various powers of the Board; providing for severability; and declaring an emergency."

The bill was read the second time.

Senator Secrest offered the following Committee Amendment to the bill:

Amend House Bill No. 105 by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. Article 57 of the Revised Civil Statutes of Texas, 1925, as last amended by Chapter 180, Acts of the 53rd Legislature, Regular Session, 1953, is hereby amended to read as follows:

"Article 57. State Seed and Plant Board.—The administration of the licensing provisions of Title 4, Chapter 2 of the Revised Civil Statutes and of Chapter 93, Acts of the 41st Legislature, First Called Session, 1929 (codified as Article 67a, Vernon's Texas Revised Civil Statutes and Article 1555a, Vernon's Texas Penal Code) shall be vested in a Board to be known as the State Seed and Plant Board, consisting of five (5) members to be appointed by the Governor, with the advice and consent of the Senate. One member shall be from the Department of Genetics of the Agricultural and Mechanical College of Texas; one member shall be from the Department of Agronomy of Texas Technological College; one member shall be a Texas Registered or Certified seed producer; one member shall

be the Chief of the Division of Seeds of the Texas Department of Agriculture; and one member shall be a person actively engaged in the seed trade, selling Texas Registered or Certified Seed. Persons appointed from the State Colleges and from the State Department of Agriculture shall be deemed to have been given additional ex officio duties by their appointment to membership on the Board. In the event an appointee severs his employment with the department or division from which he was appointed or fails to retain his active business or professional affiliation as a registered or certified seed producer or in the seed trade, his membership on the Board shall automatically terminate and the vacancy shall be filled as hereinafter provided. Members of the Board shall hold office for a term of two (2) years and until their successors are appointed and have qualified, except that in the initial appointments the first three (3) members mentioned above shall serve for a term of two (2) years and the last two for an initial term of one (1) year and a term of two years thereafter. In the event of a vacancy caused by death, resignation, inability or ineligibility to act, or any other cause, the Governor shall appoint a qualified person to complete the unexpired term. The Board shall elect annually one of its members as Chairman, one as Vice-Chairman, and one as Secretary. The Board shall meet at such times and places as the Chairman may order. All applicants for license as a registered or certified seed grower shall furnish such information as the Board may require and shall appear in person before the Board if the Board requests it. The Board shall approve and issue licenses for registered and certified seed growers, promulgate rules and regulations governing the producing of foundation, registered and certified seeds, and prescribe the qualifications and approve appointments of inspectors who may be employed under this law. The Board may, from time to time, appoint persons to act in an advisory capacity on technical matters, but such appointees shall not have a vote as Board members.

"Section 2. If any provisions of this Act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the

invalid provision or application, and to this end the provisions of this Act are declared severable.

"Section 3. The fact that the changes made by this act are needed in the public interest creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from after its passage, and it is so enacted."

The Committee Amendment was adopted.

On motion of Senator Secrest and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 105 on Third Reading

Senator Secrest moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 105 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Colson
Baker	Crump
Bradshaw	Dies

Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest
Krueger	Smith
Lane	Weinert
Martin	Willis
Moffett	Wood
Moore	

House Bill 591 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 591, An Act applicable to any two (2) adjacent counties each having a population of three hundred fifty thousand (350,000) or more according to the last preceding Federal Census; providing for the appointment of a Joint Board of Park Commissioners; setting forth their duties and powers; etc.; and declaring an emergency.

The bill was read the second time.

Senator Willis offered the following Committee Amendment to the bill:

Amend House Bill No. 591 by striking out all of Section 3 and inserting in lieu thereof the following:

"Sec. 3. The Joint Board of Park Commissioners shall be composed of thirteen Commissioners, consisting of a Chairman and twelve members, to be appointed by the Governor with the advice and consent of the Senate. Six members shall be appointed from each of the two counties, and the Chairmanship shall alternate between the two counties as hereinafter provided. Three of the members who are first appointed from each county shall be designated by the Governor to serve for terms of one year and three shall be designated to serve for terms of two years from the date of their appointments, and thereafter each of the twelve members shall be appointed for a term of office of two years. At the time of the creation of the Joint Board the Governor shall appoint a Chairman from the county having the larger population according to the last preceding Federal Census, who shall be appointed for a term of two years from the date of his appointment; and upon the expiration of the two-year term of the Chairman who is first so

appointed, the Governor shall appoint a Chairman from the county having the smaller population at the time of the creation of the Board, to serve for a term of two years; and the Chairmanship of the Joint Board shall alternate thusly between the two counties every two years. No Joint Park Commissioner may be an officer or employee for either of the two counties for which the Joint Board of Park Commissioners is created, or an officer or employee of any incorporated city located in either of said counties. A Joint Park Commissioner shall hold office until his successor has been appointed and qualified. Vacancies on the Joint Board of Park Commissioners shall be filled by appointment by the Governor. Each Joint Park Commissioner shall be compensated for all necessary expenses, including traveling, incurred in performing his duties as Joint Park Commissioner; when an account shall thus have been approved by the Commissioners Court of his County it shall be paid in due time by the Joint Board's check or warrant."

The Committee Amendment was adopted.

Senator Willis offered the following amendment to the bill:

Amend House Bill 591, page 6, line 18, by adding between the words "attorney" and "of" the following words: "or Criminal District Attorney."

The amendment was adopted.

On motion of Senator Willis and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to third reading.

House Bill 591 on Third Reading

Senator Willis moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 591 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Dies
Baker	Fly
Bradshaw	Fuller
Colson	Gonzalez
Crump	Hardeman

Hazlewood	Phillips
Herring	Ratliff
Hudson	Reagan
Kazen	Roberts
Krueger	Rogers
Lane	Secrest
Martin	Smith
Moffett	Weinert
Moore	Willis
Owen	Wood
Parkhouse	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

House Concurrent Resolution 40 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 40, Granting the City of Liberty, Texas, permission to sue the State.

The resolution was read and was adopted.

House Concurrent Resolution 15 on Second Reading

The Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 15, Granting permission to Mr. J. T. Krull to bring suit against the State of Texas.

The resolution was read and was adopted.

House Concurrent Resolution 32 on Second Reading

The Presiding Officer laid before

the Senate on its second reading the following resolution:

H. C. R. No. 32, Granting Sinclair Pipe Line Company permission to sue the State of Texas.

The resolution was read and was adopted.

House Bill 323 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 323, A bill to be entitled "An Act amending Chapter 368 Acts of 1955, 54th Legislature of Texas, Regular Session (Vernon's Article 2909c) by authorizing the provisions of said Chapter 368 to be made applicable to the refunding or refinancing of State University and College revenue bonds and notes issued under other laws; providing for the combination of refunding bonds or notes and other bonds or notes into one or more issues or series; etc., and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 323 on Third Reading

Senator Fuller moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that H. B. No. 323 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed by the following vote:

Yeas—31

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Conclusion of Local and Uncontested Bills Calendar Session

The Presiding Officer announced the conclusion of the session for the consideration of Local and Uncontested Bills Calendar.

At Ease

On motion of Senator Aikin and by unanimous consent the Senate at 2:40 o'clock p.m. stood At Ease until 2:50 o'clock p.m. today.

In Legislative Session

The President called the Senate to order as In Legislative Session at 2:50 o'clock p.m. today.

House Bill 522 Ordered Not Printed

On motion of Senator Ratliff and by unanimous consent H. B. No. 522 was ordered not printed.

Senate Bill 170 on Third Reading

Senator Owen asked unanimous consent to suspend the regular order of business and take up S. B. No. 170 on its third reading and final passage.

There was objection.

Senator Owen then moved to suspend the regular order of business and take up S. B. No. 170 for consideration at this time.

The motion prevailed by the following vote:

Yeas—20

Bradshaw	Crump
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Dies	Krueger
Fly	Moore
Fuller	Owen
Gonzalez	Parkhouse
Hardeman	Phillips
Hazlewood	Ratliff
Herring	Reagan
Hudson	Secrest
Kazen	Weinert

Nays—10

Aikin	Moffett
Baker	Roberts
Colson	Rogers
Lane	Willis
Martin	Wood

Absent

Smith

The President laid before the Senate on its third reading and final passage the following bill:

S. B. No. 170, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts of the Second Called Session, 44th Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act by reducing in paragraph (a) of Section 3 of Article II of the Texas Liquor Control Act the burden imposed by graduated license fees when any one company operates more than one licensed manufacturing location; providing a saving clause; repealing laws in conflict herewith; and declaring an emergency."

The bill was read third time and passed.

Record of Votes

Senators Aikin, Dies, Moffett, Ratliff, Willis, Colson, Martin, Wood, Lane, Herring and Rogers asked to be recorded as voting "Nay" on the final passage of S. B. No. 170.

**Committee Substitute
Senate Bill 87 on Second Reading**

Senator Hazlewood asked unanimous consent to suspend the regular order of business and take up C. S. S. B. No. 87 for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business

and take up C. S. S. B. No. 87 for consideration at this time.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moffett
Baker	Moore
Bradshaw	Phillips
Crump	Ratliff
Dies	Reagan
Fuller	Roberts
Gonzalez	Rogers
Hardeman	Secrest
Hazlewood	Smith
Herring	Weinert
Kazen	Willis
Krueger	Wood
Lane	

Nays—6

Colson	Martin
Fly	Owen
Hudson	Parkhouse

The President then laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 87, A bill to be entitled "An Act amending Section 6 of Chapter 38, page 55, Acts of the 49th Legislature, 1945, as amended by Chapter 65, Section 1, page 309, Acts of the 54th Legislature, 1955 (Vernon's Ann. Penal Code, Article 1583-1, Sec. 6), providing maximum working hours for firemen in cities of more than ten thousand (10,000) inhabitants, and defining the work week of firemen in such cities whose duties do not include fighting fires; and providing for overtime compensation for firemen required, in an emergency, to work more than the maximum hours hereby provided; amending the said Chapter 38, Acts of the 49th Legislature, as amended by adding thereto two new sections, Section 6A and Section 6B, limiting the maximum working hours for policemen in any city of more than 10,000 inhabitants to the hours worked by other employees of such city; and providing that the provisions of this Act shall be put into effect without any referendum or election on or before the first day of the next fiscal year after the effective date of this Act; and providing for overtime compensation for policemen ordered, in an emergency, to work a greater number of hours than other employees of such cities; and repeal-

ing Article 1583, Chapter 6, Title 18, of the Penal Code of Texas, 1925, as amended; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Record of Votes

Senators Lane, Ratliff, Secrest and Parkhouse asked to be recorded as voting "Nay" on the passage of C. S. S. B. No. 87 to engrossment.

Committee Substitute

Senate Bill 87 on Third Reading

Senator Hazlewood moved that Senate Rule 32 and the Constitutional Rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 87 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Lane
Baker	Martin
Bradshaw	Moffett
Colson	Moore
Crump	Owen
Dies	Phillips
Fuller	Reagan
Gonzalez	Roberts
Hardeman	Rogers
Hazlewood	Smith
Herring	Weinert
Kazen	Willis
Krueger	Wood

Nays—5

Fly	Ratliff
Hudson	Secrest
Parkhouse	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and passed.

Record of Votes

Senators Martin, Owen, Lane, Ratliff, Colson, Herring, Secrest, Weinert, Fly and Parkhouse asked to be recorded as voting "Nay" on the final passage of C. S. S. B. No. 87.

Senate Bill 6 on Second Reading

Senator Moffett moved to suspend the regular order of business and take

up S. B. No. 6 for consideration at this time.

The motion prevailed by the following vote:

Yeas—22

Aikin	Moffett
Baker	Moore
Fly	Parkhouse
Fuller	Phillips
Gonzalez	Ratliff
Hardeman	Reagan
Hazlewood	Rogers
Herring	Secrest
Kazen	Smith
Krueger	Willis
Martin	Wood

Nays—8

Colson	Lane
Crump	Owen
Dies	Roberts
Hudson	Weinert

Absent

Bradshaw

The President then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 6, A bill to be entitled "An Act creating Midwestern University at Wichita Falls, Texas, and providing for instruction at said University suitable to a University of higher learning teaching the liberal arts and sciences of the first class; providing for the organization, control and management thereof, the appointment of a Board of Regents and selection of a President; etc.; and declaring an emergency."

The bill was read the second time.

Senator Moffett offered the following Committee Amendment to the bill:

Amend the last sentence in Section 5 of Senate Bill 6 by striking out the dates which appear in said sentence and inserting in lieu thereof the word and figures "September 1, 1961" and the figures "1961" in the proper places in said sentence.

The Committee Amendment was adopted.

Senator Moffett offered the following amendment to the bill:

Amend S. B. No. 6 by striking out

all of Section 7 and inserting in lieu thereof the following:

"Section 7. It is provided, however, that the Board of Regents of Midwestern University as herein created shall not institute or offer any course of study as herein provided unless and until suitable arrangements are made for the acquisition of the corporeal properties and facilities of said Midwestern University as it now exists and Hardin Junior College situated and located in the City of Wichita Falls and in Wichita County, Texas, and the Board of Regents herein created is hereby authorized to acquire by gift the corporeal properties and facilities of Midwestern University, a corporation, as it now exists, and and Hardin Junior College, and provided also that appropriate arrangements shall be made by Midwestern University, as it now exists, and Hardin Junior College to pay and discharge any indebtedness or indebtednesses, whatsoever, so that the corporeal properties of said Midwestern University as it now exists and Hardin Junior College shall be delivered to Midwestern University as herein created, free of any indebtedness or indebtednesses, whatsoever."

The amendment was adopted.

On motion of Senator Moffett and by unanimous consent the caption was amended to conform to the body of the bill as amended.

Question on passage to engrossment, yeas and nays were demanded.

S. B. No. 6 was passed to engrossment by the following vote:

Yeas—17

Aikin	Parkhouse
Baker	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hazlewood	Rogers
Kazen	Smith
Krueger	Willis
Martin	Wood
Moffett	

Nays—14

Bradshaw	Hudson
Colson	Lane
Crump	Moore
Dies	Owen
Fly	Roberts
Hardeman	Secrest
Herring	Weinert

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 13, 1959.

Hon. Ben Ramsey, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 544, An Act amending Section 1 of Chapter 26, Forty-first Legislature, Fourth Called Session, 1930, House Bill No. 38, so as to alter the territorial limits of Donna Irrigation District Hidalgo County No. 1, by detaching and excluding therefrom that part comprising the City of Donna, Hidalgo County, Texas, and setting out a corrected description of said District by including lands heretofore added to said District since its formation; etc.; and declaring an emergency.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 121 on Second Reading

On motion of Senator Krueger and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 121, A bill to be entitled "An Act providing for the protection and promotion of the public health and welfare by providing for the development, establishment, and enforcement of certain standards in the construction, maintenance and operation of hospitals by the Licensing Agency; providing that no person or governmental unit shall establish, conduct, or maintain a hospital without a license; providing for the appointment of a Hospital Licensing Director; etc.; and declaring an emergency."

The bill was read second time.

Senator Krueger offered the following Committee Amendment to the bill:

Amend Senate Bill 121 by striking out all of Section 13 and inserting in lieu thereof the following:

"Section 13. The Governor shall appoint a Hospital Licensing Advisory Council consisting of nine (9) members as herein provided:

"(a) Three (3) physicians who are duly licensed by the Texas State Board of Medical Examiners and who are in active practice;

"(b) Three (3) hospital administrators actively engaged in the field of hospital administration for a period of not less than five (5) years;

"(c) Three (3) members representing the general public.

"All members shall serve for a term of six (6) years except that the original appointment shall be made so that the terms of three (3) members is for two (2) years, the term of three (3) members is for four (4) years, and the term of three (3) members is for six (6) years. Members whose terms expire shall hold office until their successors shall be appointed and qualified. In the event of a vacancy occurring before the expiration of a member's term, the appointment shall be for the unexpired term. Members while serving or acting in their official capacities on the official business of the Hospital Licensing Advisory Council shall receive compensation at the rate of Twenty Dollars (\$20.00) per day and shall also be entitled to receive actual and necessary travel and subsistence expenses while so serving away from their place of residence."

The Committee Amendment was read.

Senator Martin offered the following amendment to the Committee Amendment:

Amend Committee Amendment No. 1 to Senate Bill 121 by striking out Subsection (b) of Section 13 and substituting in lieu thereof the following:

"(b) Three hospital administrators actively engaged in the field of hospital administration for a period of not less than two (2) years, two (2) of whom shall be administrators of hospitals with less than one hundred (100) beds."

The amendment was read.

Senator Baker moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—7

Baker

Fuller

Gonzalez
Herring
Parkhouse

Smith
Willis

Nays—23

Aikin
Bradshaw
Colson
Crump
Dies
Fly
Hardeman
Hazlewood
Hudson
Kazen
Krueger
Lane

Martin
Moffett
Owen
Phillips
Ratliff
Reagan
Roberts
Rogers
Secrest
Weinert
Wood

Absent

Moore

The amendment to the Committee Amendment was then adopted.

The Committee Amendment as amended was then adopted.

Senator Bradshaw offered the following amendment to the bill:

Amend Senate Bill 121 by adding a new Section to be known as Sec. 18a.

Sec. 18a. Chiropractic Hospitals shall be deemed to meet the qualifications of this Act wherein it is found that they meet the minimum standards on safety and sanitation as may be prescribed by the Licensing Agency. And provided further that the Chiropractic Staff is legally licensed by the Texas State Board of Chiropractic Examiners.

The amendment was adopted.

Senator Martin offered the following amendment to the bill:

Amend Senate Bill 121, printed copy, by changing the period on page 6, line 17, to a semicolon and adding the following:

"nor shall this Act apply to establishments that furnish only baths and massages in addition to food, shelter and laundry."

The amendment was adopted.

Senator Martin offered the following amendment to the bill:

Amend Senate Bill 121, printed copy, page 3, by adding another sentence at the end of line 2, to read as follows:

"Provided, however, that any rules,

regulations or standards set shall first be approved by the State Board of Health, and after they have been so approved, shall be approved also by the Attorney General as to their legality, and then filed with the Secretary of State, and no such rule or regulation shall be effective until it has been filed with the Secretary of State."

The amendment was adopted.

Senator Owen offered the following amendment to the bill:

Amend S. B. No. 121 by adding a new section to read as follows:

"Sec. 6. Any hospital coming within the terms of this Act shall be and is hereby required to accept all persons in need of hospitalization without qualification as to religious faith or economic status, provided further that the admission of any person shall not be qualified or conditioned upon such persons insured or uninsured status or such person's financial or economic status."

And renumber the succeeding sections.

The amendment was read.

Senator Krueger moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—20

Aikin	Moffett
Bradshaw	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Herring	Secrest
Kazen	Smith
Krueger	Weinert
Lane	Willis
Martin	Wood

Nays—9

Colson	Hudson
Crump	Moore
Dies	Owen
Hardeman	Roberts
Hazlewood	

Present—Not Voting

Rogers

Absent

Baker

Senator Owen offered the following amendment to the bill:

Amend S. B. 121 by adding a new section to read as follows:

"Sec. 7. No hospital coming within the terms of this Act shall be eligible to receive nor shall same receive any funds of the United States Government or any Federal agency unless such hospital shall in fact be a non-profit institution, and no funds if received shall inure to the benefit of any private person, firm or corporation, either directly or indirectly."

The amendment was read.

Senator Krueger moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—25

Aikin	Moffett
Baker	Moore
Colson	Parkhouse
Dies	Phillips
Fly	Ratliff
Fuller	Reagan
Gonzalez	Rogers
Hazlewood	Secrest
Herring	Smith
Hudson	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—5

Bradshaw	Kazen
Crump	Owen
Hardeman	

Absent

Roberts

Senator Willis offered the following amendment to the bill:

Amend S. B. 121, page 3, line 49, of the printed bill by striking out the words "Five Hundred Dollars (\$500.00)" and inserting in lieu thereof the following "One Hundred Dollars (\$100.00)."

The amendment was read.

Senator Krueger moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—23

Colson	Owen
Crump	Parkhouse
Dies	Phillips
Fuller	Ratliff
Hazlewood	Reagan
Hudson	Roberts
Kazen	Rogers
Krueger	Secrest
Lane	Smith
Martin	Weinert
Moffett	Wood
Moore	

Nays—7

Aikin	Hardeman
Baker	Herring
Bradshaw	Willis
Gonzalez	

Absent

Fly

Senator Aikin offered the following amendment to the bill:

Amend S. B. 121 by striking out the word and figures \$1.00 in line 45, page 3 and insert in lieu thereof "Twenty-five Cents" and by striking out the words and figures \$25.00 and insert in lieu thereof \$10.00.

The amendment was adopted.

Record of Votes

Senators Parkhouse and Baker asked to be recorded as voting "Nay" on the adoption of the above amendment.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. 121, Sec. 9 by striking out lines 41, 42, 43, 44 and 45 to the period after the word "jurisdiction."

The amendment was adopted.

Senator Hardeman offered the following amendment to the bill:

Amend S. B. 121, Sec. 9, by adding a new provision at the end of line 53, page 4, to read as follows:

"The venue for any suit seeking to enjoin the violation of any of the provisions of this Act shall lie in the county wherein such violation is alleged to have occurred."

The amendment was adopted.

Senator Owen offered the following amendment to the bill:

Amend S. B. 121 by adding a new section to read as follows:

"7. No hospital may refuse to admit emergency cases."

The amendment was read.

On motion of Senator Krueger the amendment was tabled.

Senator Owen offered the following amendment to the bill:

Amend S. B. 121 by adding a new section to read as follows:

"6. Any hospital in this state under the terms of this Act which receives any Federal funds for the purpose of treating indigents shall be required to accept all indigent cases or indigent persons seeking admission."

The amendment was read.

Senator Krueger moved to table the amendment.

Question on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—22

Aikin	Martin
Colson	Moffett
Dies	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Krueger	Weinert
Lane	Willis

Nays—6

Bradshaw	Kazen
Crump	Owen
Hudson	Wood

Absent

Baker	Smith
Moore	

On motion of Senator Krueger and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 121 on Third Reading

Senator Krueger moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 121 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Martin
Bradshaw	Moffett
Crump	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	

Nays—3

Baker	Owen
Colson	

Absent

Dies	Wood
Moore	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Report of Standing Committee

Senator Weinert by unanimous consent submitted the following report:

Austin, Texas,
April 13, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Water and Conversation, to whom was referred S. B. No. 432, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Message from the House

Hall of the House of Representatives
Austin, Texas,
April 13, 1959.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 26, A bill to be entitled "An Act requiring a declaration of party affiliation or lack of party affiliation, on the voter's poll tax receipt, exemption certificate, or party registration certificate as a prerequisite to voting in a primary election or participating otherwise in certain party activities and making provisions relative to issuance and use of receipts and certificates containing information or party affiliation; providing for certain records; providing certain penalties; providing effective dates; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Senate Bill 372 on Second Reading

Senator Hardeman asked unanimous consent to suspend the regular order of business and take up S. B. No. 372 for consideration at this time.

There was objection.

Senator Hardeman then moved to suspend the regular order of business and take up S. B. No. 372 for consideration at this time.

The motion prevailed by the following vote:

Yeas—23

Aikin	Moffett
Bradshaw	Owen
Colson	Parkhouse
Crump	Phillips
Fly	Ratliff
Gonzalez	Reagan
Hardeman	Rogers
Hazlewood	Secrest
Kazen	Weinert
Krueger	Willis
Lane	Wood
Martin	

Nays—7

Baker	Herring
Fuller	Hudson

Moore
Roberts

Smith

Absent

Dies

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 372, A bill to be entitled "An Act requiring the teaching of Texas History in all senior high schools supported by public funds within this State and in all senior colleges and universities supported or maintained by the State of Texas; providing that after July 1, 1960, no person shall be graduated from any such senior high school except that he or she has taken and received normal credit for a full year course in Texas History at the senior high school level; etc.; and declaring an emergency."

The bill was read second time.

Senator Secrest offered the following amendment to the bill.

Amend S. B. 372, Section 2, so as to substitute the figure July 1, 1962 in lieu of July 1, 1960.

The amendment was read.

Senator Aikin offered the following substitute for the amendment by Senator Secrest:

Amend S. B. 372, page one, line 44, by striking out the words and figures July 1, 1960 and insert in lieu thereof the words and figures July 1, 1963.

The substitute for the amendment by Senator Secrest was adopted.

The amendment as substituted was then adopted.

Senator Kazen offered the following amendment to the bill:

Amend S. B. 372 by striking out the word and figures "July 1, 1960" in Sec. 2 and inserting in lieu thereof the word and figures "July 1, 1963."

The amendment was adopted.

On motion of Senator Hardeman and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 372 on Third Reading

Senator Hardeman moved that the Constitution Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 372 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—24

Aikin	Moffett
Baker	Owen
Bradshaw	Parkhouse
Colson	Phillips
Crump	Ratliff
Fly	Reagan
Gonzalez	Rogers
Hardeman	Secrest
Hazlewood	Smith
Kazen	Weinert
Krueger	Willis

Nays—5

Wood	Lane
Fuller	Moore
Herring	Roberts
Hudson	

Absent

Dies	Martin
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 272 on Second Reading

On motion of Senator Martin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 272, A bill to be entitled "An Act authorizing state travel regulations; describing officials and employees to whom the regulations apply; defining the method of travel reimbursement; establishing certain limitations for reimbursement; authorizing the Comptroller to promulgate rules and regulations to facilitate the execution of this act subject to approval by the Attorney General; authorizing transportation by courtesy cards; making the provisions of this act prevail in the event of conflict with the other laws; establish-

ing an effective date of the act; and declaring an emergency."

The bill was read second time.

Senator Martin offered the following amendment to the bill:

Amend Senate Bill 272 by striking out all below the enacting clause and substituting in lieu thereof the following:

Section 1. This Act is the "Travel Regulations Act of 1959."

Sec. 2. The provisions of this Act shall apply to all officers, heads of State agencies, and State employees. The provisions of this Act shall not apply to judges and other judicial employees paid by the State, counties or other political subdivisions pursuant to law. Heads of State agencies shall mean elected State officials, excluding members of the Legislature who shall receive travel reimbursement as provided by the Constitution, appointed State officials, appointed State officials whose appointment is subject to Senate confirmation, directors of legislative interim committees or boards, heads of State hospitals and special schools, and heads of State institutions of higher education.

Sec. 3. a. Reimbursement from funds appropriated by the Legislature for traveling and other necessary expenses incurred by the various officials, heads of State agencies, and employees of the State in the active discharge of their duties shall be on the basis of either a per diem or actual expenses as specifically fixed and appropriated by the Legislature in general appropriations acts. A per diem allowance shall mean a flat daily rate payment in lieu of actual expenses incurred for meals and lodging and as such shall be legally construed as additional compensation for official travel purposes only.

b. The rate of per diem and transportation allowance and method of computing those rates shall be those set forth in general appropriation acts providing for the expenses of the State government from year to year.

Sec. 4. Unless otherwise provided by law, officers and employees traveling to the performance of their official duties shall not accept any sums of money for wages or expenses, from any corporation, firm, or person who may be or is being audited, examined,

inspected or investigated, and must receive their traveling expenses from the amounts appropriated in the appropriation acts. The Comptroller is hereby prohibited from paying the salary of any employee of the State who violates these provisions.

Sec. 5. Any travel connected with official business of the State for which reimbursement for travel expenses incurred outside the continental limits of the United States is claimed must have the advance written approval of the Governor. Blanket authority by the Governor may be given the Department of Public Safety to law enforcement personnel entering Mexico to apprehend criminals.

Sec. 6. a. The Comptroller of Public Accounts is to promulgate rules and regulations to facilitate the execution of the travel regulations, as defined in this Act or as may hereafter be contained in general appropriations acts, and shall, with the concurrence of the State Auditor, prescribe the form on which travel expenses are to be submitted. The Comptroller shall approve claims for travel expenses and issue warrants on basis of approved claims.

Such rules and regulations as are prescribed by the Comptroller shall be subject to final approval by the Attorney General. After such approval has been given, official copies of the rules and regulations, including administrative policies and/or interpretations of these rules and regulations, shall be filed with the Secretary of State.

b. Standard expense account forms shall be used by all State agencies in preparing the expense accounts for traveling State employees. Such forms shall contain information stating (1) the point of origin and the town, place or point of destination of each trip and the reimbursable mileage traveled between each point, town, or place. This provision shall also apply to intra-city mileage; (2) the actual period of time the employee is away from his designated headquarters entitling him to travel expenses; and (3) a brief statement which clearly shows the purpose of the trip and the character of official business performed.

c. In determining transportation reimbursements for travel by private conveyance, the Comptroller shall base reimbursement on mileage along the shortest practical route between point

of origin and the destination via intermediate points at which official State business is conducted and other necessary mileage at points where official State business is conducted. The most recent annual official highway map as published and released by the State Highway Department shall be used by the Comptroller in computing the amounts of reimbursement for transportation by personal car within the State. In computing distances in excess of fifty miles, officially designated State and Federal highways shall be used in determining the shortest practical route between the point of origin and the point of destination via intermediate points at which official State business is conducted and other necessary mileage at points where official State business is conducted. In computing distances of fifty miles or less, State and Federal highways and Farm-to-Market roads shall be used by the Comptroller in determining the shortest practical route between the point of origin and the point of destination via intermediate points at which official State business is conducted and other necessary mileage at points where official State business is conducted.

d. When two or more employees travel in a single private conveyance, only one shall receive a transportation allowance, but this provision shall not preclude each traveler from receiving a per diem allowance.

e. When two, three, or four officials or employees of the same State agency with the same itinerary on the same dates are required to travel on the same official State business for which travel reimbursement for mileage in a personal car is claimed, mileage reimbursement will be claimed and allowed for only one of the employees except as provided hereafter. To the extent of mileage reimbursement claimed, the Comptroller shall consider such travel claims as multiple claims and may pay only one such claim. If more than four employees attend such meeting or conference in more than one car, full mileage reimbursement shall be allowed for one car for each four employees and for any fraction in excess of a multiple of four employees. If in any instance it is not feasible for these officials or employees to travel in the same car, then prior official approval from the head of the State Department or Agency shall be obtained and shall be considered

as authorization and the basis for reimbursement for travel for each person authorized to use his personal car in such travel.

f. Should an officer or employee of the State receive an overpayment for travel expenses from money appropriated in the appropriations Act, he is to reimburse the State for such overpayment.

Sec. 7. Double travel expense payments to State officials or employees are prohibited. When an employee engages in travel for which he is to be compensated by a non-State agency, he shall not receive any reimbursement for such travel from authorized amounts in the general appropriation act.

Sec. 8. An employee whose duties customarily require travel within his designated headquarters may be authorized a local transportation allowance for this travel. Such allowance, however, shall never exceed the transportation allowance for use of a privately owned automobile as set by the Legislature in the general appropriations act.

Sec. 9. Neither a per diem allowance nor partial per diem allowance as set out in the general appropriations acts shall be allowed for the period of time on those days when an employee is:

- (1) At his official designated headquarters.
- (2) Absent from post of duty for personal reasons.
- (3) Absent from post of duty for any reason not connected with duties of the agency by which the employee is employed.
- (4) Away from designated headquarters for a period of less than six consecutive hours.

When an employee leaves his post of duty for any reason not connected with the duties of the agency by which such employee is employed, or for personal reasons, the employee shall clearly show he is absent for personal reasons on the expense account and will also show the hour and date of departure from post of duty and the hour and date he returned to said post of duty.

Sec. 10. The provisions of this Act shall not preclude reimbursement of claims by officials or employees for use of public conveyances. Transportation is authorized by courtesy cards for air, rail and bus lines.

Sec. 11. None of the provisions of this Act shall apply to reimburse-

ment for travel expenses incurred by officials or employees of athletic departments of the institutions of higher education, to reimbursement for travel expenses to officials or employees of institutions of higher education from gifts or bequests, or to reimbursement for travel expenses of officials or employees when expenses for such travel are paid or reimbursed to the institutions of higher education under provisions of contracts between the institutions and the Federal Government or other contracting agencies. The governing boards of the respective institutions of higher education shall make such necessary rules and regulations as may be deemed advisable for the administration and control of such travel.

Sec. 12. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Sec. 13. All laws and parts of laws in conflict with this Act are hereby repealed.

Sec. 14. This Act shall be in effect and in force on September 1, 1959.

Sec. 15. The absence of Legislative policies expressed in statutory form for regulating travel on official State business, and the fact that legal opinions create doubt respecting the validity of official travel regulations previously prescribed by the Legislature in the appropriations act, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and such rule is suspended, and this Act shall take effect on September 1, 1959, and it is so enacted.

The amendment was adopted.

On motion of Senator Martin and by unanimous consent the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment.

Senate Bill 272 on Third Reading

Senator Martin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three

several days be suspended and that S. B. No. 272 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Dies

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Dies

Senate Bill 90 on Second Reading

On motion of Senator Herring and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 90, A bill to be entitled

"An Act amending Chapter 19 of the Texas Insurance Code; limiting the application of Chapter 388 of the Acts of the 55th Legislature, 1957; providing that persons, firms and corporations may act as attorneys-in-fact for reciprocal or inter-insurance exchanges; providing for the organization, powers, duties, regulation and qualifications of domestic and foreign corporations acting as such attorneys-in-fact; repealing all laws or parts of laws in conflict with this Act; providing for a severability clause; and declaring an emergency."

The bill was read second time.

Senator Herring offered the following Committee Amendment to bill:

Amend Senate Bill No. 90 by striking therefrom all below the enacting clause and inserting in lieu thereof the following:

Section 1. Amend Article 19.02, Chapter 19, Texas Insurance Code, by adding a paragraph thereto reading as follows:

"A corporation may be organized in Texas to act as attorney-in-fact for a reciprocal or inter-insurance exchange. The general laws for incorporation shall supplement the provisions of this Act to the extent that they are not inconsistent with the provisions hereof."

Section 2. Article 19.10, Chapter 19, Texas Insurance Code, is hereby amended to read as follows:

"Such attorney-in-fact by whom or through whom are issued any policies of or contracts of indemnity of the character referred to herein shall procure from the State Board of Insurance of Texas a Certificate of Authority as provided in Article 1.14, and the provisions of Article 2.20 shall be applicable as well as to renewal Certificates of Authority."

"A certificate of Authority issued as provided in this Article, shall fully authorize the named person, firm or corporation to exercise all of the powers and perform all of the duties of such attorney-in-fact; provided, that any corporation acting as the attorney-in-fact for a reciprocal or inter-insurance exchange which is required to procure a certificate of authority from the State Board of Insurance of Texas shall not be deemed to be doing business in this state within the mean-

ing of any laws applying to foreign corporations."

Section 3. Chapter 388 of the Acts of the 55th Legislature, 1957, shall not apply to a corporation, either domestic or foreign, which acts only as attorney-in-fact for a reciprocal or inter-insurance exchange."

Section 4. All laws or parts of laws in conflict with the provisions of this Act are hereby repealed and if any provision, section, paragraph, sentence, phrase or word of This Act or the application thereof to any circumstance be held invalid, such holding shall not affect the validity of the remaining provisions, sections, paragraphs, sentences, phrases or words of this Act, and the Legislature declares it would have passed such remaining portions despite such invalidity.

Section 5. The importance of this Legislation to the people of the State of Texas and the crowded condition of the calendars in both Houses of the Legislature creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage.

The Committee Amendment was adopted.

Senator Herring offered the following Committee Amendment to the bill:

Amend Senate Bill No. 90 by striking therefrom all above the enacting clause and inserting in lieu thereof the following:

A BILL TO BE ENTITLED

"An Act amending Chapter 19 of the Texas Insurance Code; providing for the organization of corporations for the purpose of acting as attorney-in-fact for a reciprocal or inter-insurance exchange; providing that persons, firms and corporations may act as attorneys-in-fact for reciprocal or inter-insurance exchanges; providing for the organization, powers, duties, regulation and qualifications of domestic and foreign corporations acting as such attorneys-in-fact; limiting the application of Chapter 388 of the Acts of the 55th Legislature, 1957; repealing all laws or parts of laws in conflict with this Act; pro-

viding for a severability clause; and declaring an emergency."

The Committee Amendment was adopted.

The bill as amended was passed to engrossment.

Senate Bill 90 on Third Reading

Senator Herring moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 90 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Dies

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Dies

Senate Bill 409 on Second Reading

On motion of Senator Aikin and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S. B. No. 409, A bill to be entitled "An Act authorizing the Legislature to appropriate public funds for the purpose of paying for drugs and medical, hospital, laboratory, and funeral expenses of State employees injured or killed while engaged in activities to which a high degree of hazard attaches by virtue of the performance of a necessary governmental function assigned to the employee, or where the duties of such employee require the employee to expose himself to unavoidable dangers peculiar to the performance of a necessary governmental function; authorizing State agencies to expend funds for such purpose; making other provisions relating thereto; and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill 409 on Third Reading

Senator Aikin moved that the Constitutional Rule and Senate Rule 32 requiring bills to be read on three several days be suspended and that S. B. No. 409 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Krueger
Baker	Lane
Bradshaw	Martin
Colson	Moffett
Crump	Moore
Fly	Owen
Fuller	Parkhouse
Gonzalez	Phillips
Hardeman	Ratliff
Hazlewood	Reagan
Herring	Roberts
Hudson	Rogers
Kazen	Secrest

Smith
WeinertWillis
Wood

Absent

Dies

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Martin
Baker	Moffett
Bradshaw	Moore
Colson	Owen
Crump	Parkhouse
Fly	Phillips
Fuller	Ratliff
Gonzalez	Reagan
Hardeman	Roberts
Hazlewood	Rogers
Herring	Secrest
Hudson	Smith
Kazen	Weinert
Krueger	Willis
Lane	Wood

Absent

Dies

House Concurrent Resolution 84 on Second Reading

On motion of Senator Owen and by unanimous consent, the regular order of business was suspended to take up for consideration at this time the following resolution:

H. C. R. No. 84, Authorizing certain corrections in Senate Bill No. 361.

The resolution was read and was adopted.

House Bill on First Reading

The following bill received from the House, was read the first time and referred to the committee indicated:

H. B. No. 544, To the Committee on Water and Conservation.

Adjournment

On motion of Senator Kazen the Senate at 5:26 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of
Mrs. Lola Lawrence

Senator Gonzalez offered the following resolution:

(Senate Resolution 338)

Whereas, The Universal Father, in His infinite wisdom did, on the 9th day of April, 1959, remove from her earthly labors, Mrs. Lola Lawrence; and

Whereas, Mrs. Lawrence was born eighty-nine years ago in Carthage, Texas; and

Whereas, She was a member of one of the most famous East Texas families; and served the Senate of Texas as postmistress for twenty-five years; and

Whereas, Mrs. Lawrence served her Community and Church long and faithfully; now, therefore, be it

Resolved, That it is the desire of the Senate to pay tribute to this worthy citizen; and be it further

Resolved, That when the Senate adjourns today, it do so in her honor and that a page in the permanent Journal in the Senate be devoted to the recording of this resolution; and be it further

Resolved, That an enrolled copy of this resolution be sent to her daughters, Misses Christine and Cecile Lawrence, Mrs. Warner Rasco; her sisters, Mrs. Eva Persons and Mrs. Edith Jones of Center, Texas, and Mrs. Anna Hayden of Beaumont, Texas; one brother, Judge R. H. Sanders of Center, Texas; and to her two grandsons and five great-grandchildren, as a token of sympathy.

GONZALEZ

Signed—Ben Ramsey, Lieutenant Governor; Aikin, Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Hardeman, Hazlewood, Herring, Hudson, Kazen, Krueger, Lane, Martin, Moffett, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Lane and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of
Miss Ella Weinert

Senator Aikin offered the following resolution:

(Senate Resolution 340)

Whereas, Miss Ella Weinert, born on September 3, 1880, in Guadalupe County, Texas, was called to her reward on April 9, 1959, after a long life of dedicated service to her family, her community and to her church; and

Whereas, She was the daughter of a pioneer and distinguished family, Honorable and Mrs. F. C. Weinert, to whom Texas owes a debt of gratitude for their contributions to its development, her father having served as State Representative, State Senator and Secretary of State; and

Whereas, Miss Weinert unselfishly devoted her life and efforts to the welfare of her parents and to the activities of the Lutheran Church in Seguin of which she was a devout member; and

Whereas, She is survived by our distinguished colleague, Honorable R. A. Weinert of Seguin, and two sisters, Mrs. Clara Breustedt of Seguin, and Mrs. Kathinka Eilers of Austin; and

Whereas, It is the desire of the Senate to express its sympathy to the surviving members of the family of Miss Weinert, now, therefore, be it

Resolved by the Senate of Texas, That it hereby expresses such sympathy and that when the Senate adjourns today it do so in her honor, and that a page in the Journal be set aside in her honor, and that copies of this resolution be sent to the surviving members of her family under the official seal of the Senate by the Secretary of the Senate.

HARDEMAN
LANE
MOFFETT
AIKIN

Signed—Ben Ramsey, Lieutenant Governor; Baker, Bradshaw, Colson, Crump, Dies, Fly, Fuller, Gonzalez, Hazlewood, Herring, Hudson, Kazen, Krueger, Martin, Moore, Owen, Parkhouse, Phillips, Ratliff, Reagan, Roberts, Rogers, Secrest, Smith, Weinert, Willis, Wood.

The resolution was read.

On motion of Senator Baker and by unanimous consent the names of the Lieutenant Governor and the Senators were added to the resolution as signers thereof.

The resolution was adopted by a rising vote of the Senate.